



Planning & Development Services

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CESP EIS Scoping Comment List

Count	Name	Organization / Address	Comment Method	Date Received	Page #
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8.	Ingrid Hinton	22128 State Route 9 #178 Mt Vernon, WA. 98274	Email	5/25/26	50
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15.	Laurie Sherman	4596 Ginnett Rd Anacortes, WA	Email	6/10/26	70
16.	Derek Benedict	Lynnwood, WA	Email	6/10/26	72
17.	Angela Day	16901 Snee Oosh Rd. La Conner, WA 98257	Email	6/12/26	73
18.	Peg Boettcher	3509 D Ave #A205, Anacortes, WA 98221	Email	6/13/26	82
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22.	Emily Hagen	Puget Sound Energy	Email	6/15/26	111
23.	Sophia Steele Conley	Western States Petroleum Association (WSPA)	Email	6/15/26	113
24.	Tim Manns	Skagit Audubon Society	Email	6/16/26	116
25.	Mary Pugsley	1518 Eaglemont Pl Mount Vernon 98274	Email	6/16/26	120
26.	Allison Work	Swinomish Indian Tribal Community	Email	6/16/26	121
27.	Christie Stewart Stein	16384 Donnelly Road Mount Vernon, WA 98273	Email	6/16/26	128
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Robby Eckroth

From: Cynthia Hosick <cyhosick@yahoo.com>
Sent: Thursday, May 14, 2026 5:55 PM
To: PDS comments
Subject: "Energy Siting and Permitting EIS Scoping Comment".

My only comment is that I DO NOT want nuclear energy in Skagit County. Hanford is STILL contaminated.

"The Hanford Nuclear Reservation in Washington state remains severely contaminated in 2025 and is considered the most polluted nuclear waste site in the U.S.. While active cleanup is ongoing, roughly 56 million gallons of radioactive waste remain in leaking underground tanks, with cleanup expected to continue until at least the 2060s-2080s."

Sincerely,
Cynthia Hosick
2420 Stonebridge Way
Mount Vernon WA 98273

Robby Eckroth

From: Bryan Crowley <bulletproofconcrete@proton.me>
Sent: Thursday, May 14, 2026 11:15 PM
To: PDS comments
Subject: Energy Siting and Permitting EIS Scoping Comment

Spam

Mitigation Strategies - Please read, this is important

For ALL future solar, nuclear, battery energy storage, and renewable fuel facilities absolutely MUST be required to use corrosion proof non-toxic volcanic basalt mineral rebar, woven mesh, chopped fiber, and Chem Concrete materials.

I am the R & D Engineer for America's only basalt factory and our concrete and reinforcements are used all over the former Soviet Union, in China, in American State, Federal, NASA, and Military concrete projects where corrosion proofing and durability is essential to public safety. Basalt rebar has been proven to be the world's best materials for ensuring long term stability, corrosion proofing, and immunity to radiation damage which typical destroys steel reinforced foundations.

Why would Washington State build a nuclear reactor, chemical storage tank, hydrogen storage tank, or high-voltage electrical project that is likely to fail within 50 years when they can simply use better proven materials to achieve a 100 year safety margin?

Basalt uses less energy to produce than steel rebar, basalt is totally immune to radiation, it is extraordinarily durable to corrosive soils as often found in saltwater and volcanic soils, and is 100% non-toxic with endless recyclability. We also manufacture all-composite basalt highway bridges in New England with great success whereby the bridge lasts twice as long as a steel/concrete structure, it is totally fireproof, corrosion proof, and sheds zero micro-particle plastic pollution into the river environment. Our basalt composite power poles, sheet piles, and stormwater structures offer immunity to forest fires, tsunami waves, Arctic ice storms, tornado winds, and are especially durable to terrorism attack.

Our basalt costs about 20% more than traditional steel structures yet last twice as long, have zero negative impact upon the environment, are endlessly recyclable, and are twice as strong.

We are investing \$1 billion dollars to build factories in America, I'd love to build our next one in Washington State to support the aerospace, shipyards, power companies, concrete contractors, firefighters, and to radically improve the way farmers build their farm buildings.

In every single way imaginable basalt is the one material that solves many of Washington's problems. We are very supportive of Indigenous Tribes, Veteran's groups, single mothers, farmers, fisherman, railroad, and highway builders.

And to really truly put this into perspective, our recent work with California Transit Authority proves that even the most hardcore of environmental political groups LOVE our building materials and have given use their total support and engineering approval. We have proven this with our work in their light rail, highway, and stormwater projects. Our basalt is what keeps NASA rocket heatshields from melting, it keeps Navy submarines from catching on fire, it protects many of the world's largest nuclear reactor foundations from corrosion, and Washington State has billions of tons of basalt rock within it's domain.

Yes, the very bedrock of the State can be turned into ultra-high strength lightweight totally non-toxic construction materials. Say goodbye to Portland Cement, pressure treated wood, rusty metals, micro-particle plastic pollution, cancer causing paint, and saltwater corrosion. The next earthquake or forest fire or tsunami damage can be significantly reduced saving the State billions of dollars. Yes, our basalt can save your State billions, it can prevent

cancer, it can clean up the waterways, it is endlessly recyclable, and it will prevent a nuclear reactor from falling apart. The Native's love it, the California hippies love it, the military loves it, Canadians love it, farmers love it, and politicians also love it.

Trust me, the material will save your State a massive headache in the future, it adds significant value to ALL economic classes, and it saves the taxpayers a fortune.

Aren't you tired of forest fires and windstorms from destroying your powerlines? Aren't you sick and tired of seeing rusting filthy metal bridges? Aren't you tired of worrying about your concrete from cracking and leaking water? Gosh, you gotta be tired of seeing plastics and chemicals from leaching into our precious fisheries and drinking water...

Google what Basalt Composite rebar is, what a basalt bridge is, how basalt rebar and Chem Concrete can do to strengthen a nuclear reactor, check out how little the carbon footprint is for manufacturing basalt...and for goodness sakes, pretty much all of Eastern Washington is covered in basalt flows with much of it suitable as fine construction materials. Also, we can now blend our basalt with hemp fibers to be stronger than 6063 aluminum which enables windows/doors/greenhouses/car bumpers/dimensional lumber to be made 100% non-toxic and easily able to last 100 years in the rainy PNW weather. Farmers can grow their own hemp to build hempcrete homes that are 100% non-toxic, moldproof, fireproof, rodent proof, super-thermally insulative, and highly durable to natural disaster.

I am totally committed to working with any political or economic group who wants to discuss this matter. I'm investing nearly \$1 Billion in America's future...I'd love to help your State, hire your citizens, and create generational wealth...true wealth, health, and pride.

I've worked in Seattle, I know the roads, the people, and the economy. I'd love to talk.

Sincerely and with respect,

Bryan Crowley
541-420-0565
bulletproofconcrete@proton.me
<https://www.linkedin.com/in/bryan-crowley-bullet-proof-concrete/>

[Bridge Systems - Basalt International](#)

PS I promise you that you'll be impressed. I guarantee it.

Sent with [Proton Mail](#) secure email.

Robby Eckroth

From: connie krier <connie4commissioner@gmail.com>
Sent: Friday, May 15, 2026 9:39 AM
To: PDS comments
Subject: Energy Siting and Permitting EIS Scoping Comment"

To Whom it may concern -

I am writing to express concern regarding the decision to reserve a designated seat on the Skagit County Clean Energy Advisory Council specifically for Puget Sound Energy (PSE).

The purpose of this advisory council should be to provide balanced, community-focused recommendations that prioritize the long-term interests of Skagit County residents, businesses, agriculture, public safety, infrastructure, and environmental stewardship. Because of this important responsibility, the structure of the council itself must maintain public confidence, fairness, and independence.

Puget Sound Energy is a for-profit corporation whose financial interests are directly tied to energy generation, transmission, infrastructure expansion, and the sale of energy services to county residents. Unlike local community organizations, nonprofits, or citizen representatives, PSE stands to financially benefit from many of the policies, projects, and recommendations that may come before this council.

For that reason, reserving and pre-assigning a voting seat specifically for PSE creates the appearance of preferential treatment and presents a significant conflict-of-interest concern. While utilities and industry stakeholders can provide valuable technical information and operational insight, they should not hold a position that allows them to directly shape, direct, or vote on the recommendations of an advisory body intended to represent the broader public interest.

A more balanced approach would be for PSE to participate as a resource available to the committee — attending meetings, answering technical questions, providing infrastructure information, and offering utility expertise when requested by the council. This would allow the committee to benefit from PSE's knowledge while preserving the independence and neutrality of the advisory process.

Advisory board decisions involving clean energy planning, siting, infrastructure, and policy should ultimately be guided by the needs and priorities of the citizens and communities of Skagit County, rather than the financial interests of corporations that may benefit from future projects or energy expansion within the county.

If the County intends to include stakeholder participation, consideration should be given to ensuring balanced representation among community organizations, public safety professionals, agricultural interests, environmental advocates, ratepayers, and other local voices directly impacted by these decisions.

Thank you for your consideration and for your commitment to maintaining transparency, fairness, and public confidence in this important process.

Sincerely,

Connie Krier - President

Stewards of Skagit

Robby Eckroth

From: Zac Small <tracksmall22@gmail.com>
Sent: Friday, May 15, 2026 5:19 PM
To: PDS comments
Subject: Energy Siting and Permitting EIS Scoping Comment
Attachments: Samish Island Battery Energy Storage System (1).pdf

Please consider the attached presentation as part of the scoping process for the Energy Siting and Permitting EIS. The presentation documents our firsthand experience living adjacent to the Samish Island Battery Energy Storage System and highlights issues we believe should be evaluated in the EIS, including residential setbacks, acoustic impacts, mitigation effectiveness, emergency planning, and compatibility with rural residential properties.

Zac Small, Kathleen Maloney
10393 Halloran Rd.
Samish Island

PSE's Samish Island Battery Energy Storage System:



A Cautionary Case Study
in Residential Siting

Samish Island Setting

- Located in unincorporated Skagit County
- Rural Intermediate zoning
- Predominantly residential, low-density area
- No commercial or industrial development
- Low ambient noise environment



Our Story

In 2019, my wife and I purchased a 3.72 acre parcel on Samish Island. We were extremely excited and proud to own a piece of quiet, rural Island property we could call our own. This was the culmination of years of hard work and we looked forward to developing the land and making it our home.



Our Story cont...

We rolled up our sleeves and began the challenging but rewarding work of shaping it into a place we could share with friends, and family.

Our goal was to one day build a dream home where we could spend the next chapter of our lives.



When Things Changed....

In 2023, Puget Sound Energy installed a Battery Energy Storage System at the Samish Island Fire Department approximately 20 feet from our property line. We were not contacted about the project prior to installation, nor were we engaged during or after construction. Given the proximity and nature of the system, we found the lack of communication concerning.

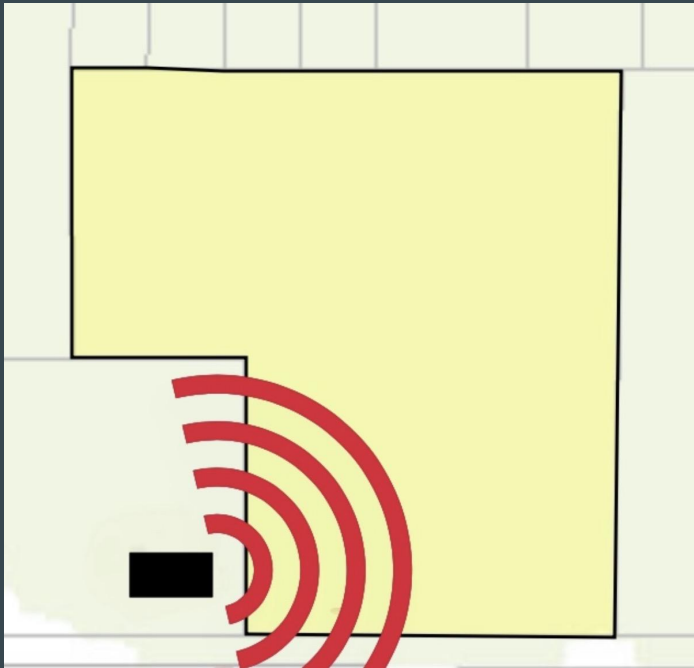
From the outset, the noise from the unit was clearly intrusive, initially concentrated around our driveway and the front portion of the property.

[Click to watch
Video from
June 17, 2023](#)



When Things Changed...

But as we developed the land and cleared vegetation, it became increasingly noticeable across the entire parcel. The intermittent cycling and persistent hum was impossible to ignore.



Seeking Assistance from PSE

By the spring of 2025, the noise from the Battery Energy Storage System had become increasingly disruptive across our property. The repetitive fan cycling and mechanical hum disrupted the quiet environment we had specifically chosen when purchasing property on Samish Island.

On May 30, 2025, we formally notified Puget Sound Energy of the issue, describing:

- Severe noise intrusion across our property
- Frequent and disruptive fan cycling
- Our request for a sound barrier solution

Early Solutions Rejected

After our complaint, a vendor confirmed that a sound barrier would likely be necessary to mitigate the noise impacts. However, the proposed barrier was rejected by PSE due to cost, easement constraints, and HVAC access concerns.

Instead, we were advised to consider installing vegetation buffers ourselves

- 12' x 25' barrier identified
- Barrier rejected by PSE
- Vegetation suggested instead

The Sound Study Changed Everything

In September 2025, PSE hired an acoustic engineer to conduct a 24-hour sound study at our property. The study confirmed that the HVAC noise exceeded allowable levels at the property boundary adjacent to the unit.

The study identified a 14–18 foot solid wall as the recommended mitigation measure.

- Noise exceeded allowable levels
- Impacts confirmed at property boundary
- Barrier identified as recommended solution

Sound Study Results

Key findings included:

- Noise exceeded daytime limits by approximately **7 dB**
- Noise exceeded nighttime limits by approximately **17 dB**
- The primary noise source was identified as the east-facing Bard HVAC unit directed toward the neighboring property
- Ambient rural sound levels near the property averaged approximately **40 dBA**, making the system highly perceptible in the quiet island environment
- At approximately **130 feet off-axis**, the system met nighttime limits, suggesting the impacts were strongly tied to proximity and orientation

The study ultimately concluded that a large sound barrier surrounding the unit would be the most effective mitigation measure.

Samish Island BESS FAQ

PSE's FAQ described the Samish Island BESS noise as similar to a typical residential air-conditioning unit producing "around 50–60 dB" intermittently. However, later acoustic testing measured approximately 64 dBA at the neighboring property boundary during operation — conditions that proved significantly more intrusive than the FAQ description suggested, particularly given the lack of disclosed pre-installation acoustic modeling. The FAQ also omitted important context, including the system's close proximity to neighboring homes and the quiet rural environment where the impacts occur. While the FAQ described the noise as "intermittent," real-world operation during warmer months has involved repetitive cycling patterns of approximately two minutes on and two minutes off throughout much of the day.

Will the battery make any noise?

Any noise the battery generates will come from its heating and cooling systems – and its inverter during charge and discharge cycles – and peak at around 50-60dB. Similar to many other air-conditioning units, it will only generate noise intermittently.



PSE PUGET SOUND ENERGY

Samish Island Community Microgrid Demonstration Project

We're excited to support Samish Island with this exciting project. What we learn together during this project will help us provide a cleaner energy future for all PSE customers in ways that have never been possible before.

Grid Modernization for a better, cleaner energy future

Innovative technology, like batteries and microgrids, will make our grid more modern, resilient, and reliable. By storing energy from renewables, they can also help reduce carbon and greenhouse gas emissions. That's why projects like the Samish Island Community Microgrid Demonstration Project are so important. They help PSE determine how to scale similar systems across our service area and benefit other communities in ways that have never been possible before.

Learn more about how PSE is modernizing its own grid, at pse.com/gridmodernization.

Project details

PSE will design, install, and test a 50kW/336kWh battery energy storage system (BESS) and 8kW solar photovoltaic (PV) array on the grounds of the Samish Island Fire Station. Together, they'll serve the station and three neighboring homes.

Primarily, we'll test the system's ability to form a microgrid and provide back-up power during an outage. This is known as islanding. We'll also test benefits like peak shaving, which is a term for easing load on the grid when demand for electricity is high.



▲ The approximate locations of the battery and 12' x 40' solar array



PSE Confirms the Problem

On October 1, 2025, PSE informed us of the sound study findings and acknowledged that the HVAC system exceeded allowable noise limits on the west side of our property adjacent to the unit.

Despite identifying a wall as the proposed solution, the project shifted away from barrier construction and toward incremental HVAC modifications.

- Exceedance acknowledged by PSE
- 14–18 ft wall recommended
- Focus shifted to HVAC modifications

Months of Delays & Incremental Fixes

Over the following months, PSE pursued a series of HVAC-based mitigation attempts rather than constructing the recommended sound barrier. These included compressor blankets, motor modifications, and sound redirection components.

Despite these efforts, the noise impacts remained clearly noticeable across our property.

- Incremental trial and error mitigation
- Multiple delays and incomplete work
- No meaningful reduction in impact

Video: Noise AFTER Modifications



2/4/26
Property line
after HVAC
improvements

Public Exposure & Escalation

After months without resolution, we began publicly sharing our experience. The issue received coverage from KING 5 News and Brandi Kruse's unDivided, bringing broader attention to the residential impacts associated with the project.

Despite increased public attention, no permanent sound barrier has been constructed.

- Media coverage and community outreach
- Public awareness increased
- Noise impacts remain unresolved

Video: King 5 News Coverage



Present Condition

After approximately 5 months of pursuing modifications to the existing HVAC system, PSE abandoned the plan and opted to replace the entire unit. This path forward is expected to be completed in August of 2026. PSE will then complete another sound study to determine if this method was effective with no guarantee of success. The new unit will be installed 14 months after our initial complaint.

In the interim, PSE installed a “Temporary Barrier” consisting of a sound dampening blanket with little to no effectiveness at abating the sound.

Video: Temporary Barrier



Samish Island BESS Safety

PSE created a site-specific emergency response plan for the Samish Island Battery Energy Storage System (BESS). We only received this information after specifically requesting it, approximately three years after the system was installed adjacent to our property.

The emergency response plan outlines procedures and protocols related to potential:

- Fire and thermal runaway events
- Explosion and reignition risks
- Toxic smoke and hazardous fumes
- High-voltage electrical hazards
- Emergency shutdown procedures (ESTOP)
- Fire department coordination and response
- Possible public evacuation depending on smoke and fume conditions

Samish Island BESS Safety

When we purchased this property, our intention was to eventually build a home in a quiet rural setting. Since installation of the Battery Energy Storage System approximately 20 feet from our property line, we have experienced ongoing concern and uncertainty about the future of the property and whether building there still makes sense. While the likelihood of a major failure event may be low, learning that the system required site-specific emergency planning related to fire, thermal runaway, toxic fumes, and possible evacuation scenarios has added another layer of concern given the proximity of the installation to our property.

What has further contributed to this frustration is that, despite being the closest neighboring property owners, we were never directly contacted about the project or made aware of the associated emergency planning and public town hall discussion that occurred prior to installation. Much of what we now understand about the operational and safety considerations of this system has only come after years of dealing with the impacts and actively requesting information ourselves.

Samish Island Should Be a Warning

What happened on Samish Island was not the result of an unforeseeable problem or equipment failure. The impacts were predictable, the mitigation was identified, and the issue was repeatedly acknowledged.

Yet despite over a year of complaints, a confirmed exceedance of allowable noise limits, and a recommended solution from PSE's own consultant, the condition remains unresolved.

If this is how a small demonstration project affecting a single neighboring property was handled, communities should carefully consider how larger battery storage projects may be managed when problems occur. In this case, the impacts to the adjacent residential property were not adequately anticipated prior to installation, and once those impacts became clear, mitigation efforts extended beyond a year without resolving the condition. While the project may be viewed by some as a technical or operational success, that perspective overlooks the extensively documented impacts experienced by the adjacent property owners, including confirmed noise exceedances, prolonged mitigation efforts, and the long-term uncertainty created for the future use of our property.

Video: Would You Want This Next to Your Home?

Now imagine a utility-scale project with dozens or even hundreds of battery units



Robby Eckroth

From: Zac Small <tracksmall22@gmail.com>
Sent: Friday, May 15, 2026 7:05 PM
To: PDS comments
Subject: Re: Energy Siting and Permitting EIS Scoping Comment

In addition to the presentation, I encourage those involved with the Skagit County Clean Energy Siting and Permitting project to view the video linked below. It illustrates the negative impact improper siting can have on adjacent residential property owners.

[Samish Island BESS](#)

On Fri, May 15, 2026 at 5:19 PM Zac Small <tracksmall22@gmail.com> wrote:

Please consider the attached presentation as part of the scoping process for the Energy Siting and Permitting EIS. The presentation documents our firsthand experience living adjacent to the Samish Island Battery Energy Storage System and highlights issues we believe should be evaluated in the EIS, including residential setbacks, acoustic impacts, mitigation effectiveness, emergency planning, and compatibility with rural residential properties.

Zac Small, Kathleen Maloney
10393 Halloran Rd.
Samish Island

Robby Eckroth

From: Zac Small <tracksmall22@gmail.com>
Sent: Sunday, May 24, 2026 9:16 AM
To: PDS comments
Cc: #PDSEnforcement
Subject: Energy Siting and Permitting EIS Scoping Comment

The Samish Island BESS serves as case study in poor siting and inadequate mitigation once issues were identified. As a courtesy to jurisdictions in Western Washington, I have sent around a slide show detailing mine and my wife's experience. The purpose is to inform cities/counties of the real world impact to residents in proximity to clean energy projects. Most reply with gratitude for the information. However, Kitsap County provided a thoughtful reply that outlines their protocol for these types of situations. I think Skagit County should take note and consider adopting similar practices as to avoid another scenario like what has occurred on Samish Island.

Thank you,
Zac Small
10393 Halloran Rd
Samish Island, Bow
Primary Address:
816 McLean Dr
Sedro Woolley

On Mon, May 18, 2026 at 9:57 AM Scott Diener <SDiener@kitsap.gov> wrote:

Zac:

Thank you for the slide show. I certainly understand your concerns. We have a project—170 Mwh—where we asked for a 3rd party noise analysis, but given what is said up front can often be different from what is observed once built, we will be conditioning that if the project is shown to exceed noise limits, it must shut down until the noise exceedance is permanently addressed. That should encourage an application showing real numbers (we hope). In any case, we will be approaching the project with conditions that the 3rd party reviewer recommended. I wish you well in the future.

Regards,



KitsapCounty

Scott Diener

Planning Manager, SEPA Responsible Official

360.536.5452 | [Kitsap.gov/DCD](https://www.kitsap.gov/DCD)

Community Development
614 Division Street MS-23A, Port Orchard, WA 98366

Public Disclosure: Incoming and outgoing emails are public records subject to disclosure pursuant to the Public Records Act, Chapter 42.56 RCW.

From: Clara Jewell <CJewell@kitsap.gov>
Sent: Monday, May 18, 2026 8:59 AM
To: Scott Diener <SDiener@kitsap.gov>; Jim Rogers <JLRogers@kitsap.gov>
Cc: Rafe Wysham <RWysham@kitsap.gov>
Subject: FW: PSE Samish Island Battery Energy Storage System

See below and attached. Might be interesting to take a look at.

Thank you,

<image001.png>

Clara Jewell

Executive Assistant and Clerk of the Planning Commission

360.337.5777 | cjewell@kitsap.gov

Community Development
619 Division Street MS-36, Port Orchard, WA 98366

<image002.png>

NOTICE OF PUBLIC DISCLOSURE: All incoming and outgoing email messages are public records subject to disclosure pursuant to the Public Records Act, Chapter 42.56 RCW.

From: Zac Small <tracksmall22@gmail.com>
Sent: Friday, May 15, 2026 5:01 PM
To: Clara Jewell <CJewell@kitsap.gov>
Subject: PSE Samish Island Battery Energy Storage System

You don't often get email from tracksmall22@gmail.com. [Learn why this is important](#)

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Hello,

As communities throughout Washington continue evaluating battery energy storage system (BESS) projects and related ordinance considerations, I wanted to share a presentation documenting the real-world impacts associated with Puget Sound Energy's Samish Island BESS project, which was installed in 2023 approximately 20 feet from our rural residential property line in Skagit County, Washington.

The presentation outlines:

- Documented noise impacts confirmed through acoustic testing
- The prolonged mitigation process that followed
- Siting and community notification concerns
- Considerations for future residential battery storage projects

I believe the Samish Island project serves as an important case study on the need for careful siting, acoustic review, and meaningful consideration of neighboring residential properties prior to installation.

I hope this information is helpful as your community discusses future energy storage projects and related planning considerations.

Thank you for your time.

Zac Small
Samish Island, WA

Robby Eckroth

From: Zac Small <tracksmall22@gmail.com>
Sent: Wednesday, May 27, 2026 5:44 PM
To: PDS comments
Subject: Energy Siting and Permitting EIS Scoping Comment
Attachments: 2026-05-27 Board Decision - Convergent BESS.pdf

I wanted to share a recent Thurston County Board decision involving a proposed lithium-ion Battery Energy Storage System (BESS) in Rochester, Washington. I thought several aspects of the decision were relevant to the ongoing Clean Energy Siting and Permitting EIS discussions, particularly regarding emergency planning, setbacks, compatibility with nearby residences, and the importance of proactive mitigation measures prior to construction and energization.

Some key points from the decision are listed below:

- -Thurston County Board acknowledged that concerns regarding BESS fire risk and emergency response are “not speculative.”
- -Appeal raised issues involving fire safety, toxic emissions, groundwater contamination, wildfire risk, and noise/visual impacts associated with a lithium-ion BESS near neighboring properties.
- -Board emphasized the importance of proactive mitigation and review before construction/energization rather than relying on post-construction corrections.
- -Decision criticized the prospect of allowing a facility to be built before determining whether emergency response and hazard mitigation plans are adequate.
- -Board stated that hazard mitigation and emergency response planning should help inform project design rather than occur after impacts already exist.
- -Additional conditions were added requiring approval of a Hazard Mitigation --Analysis and Fire Safety/Emergency Response Plan prior to construction and energization.
- -Decision required coordination with the local fire authority, including pre-incident walkthroughs and responder training.
- -Board acknowledged that additional BESS permitting involves substantive review and is “not merely ministerial.”
- -Decision referenced evolving BESS regulations and noted ongoing evaluation of future code updates related to setbacks, fire protection requirements, and land-use compatibility.
- -Case reflects increasing recognition by Washington jurisdictions that lithium-ion BESS projects near residences may require enhanced procedural safeguards, emergency planning, **acoustic review**, and compatibility standards.

Zac Small
 Primary Residence: 816 Mclean Dr Sedro-Woolley
 Property Owner: 10393 Halloran Rd Samish Island

----- Forwarded message -----

From: **Sonja Cady** <sonja.cady@co.thurston.wa.us>
 Date: Wed, May 27, 2026 at 4:46 PM
 Subject: Board of County Commissioner Decision-Appeal of Brian and Tamara Haight of Project No.

2024104116– Convergent Energy - Battery Energy Storage System Special Use Permit
To: Sonja Cady <sonja.cady@co.thurston.wa.us>

MEMORANDUM

TO: Parties of Record

FROM: Sonja Cady, Land Use Clerk

DATE: May 27, 2026

SUBJECT: **Appeal of Brian and Tamara Haight of Project No. 2024104116– Convergent Energy - Battery Energy Storage System Special Use Permit**

Attached is a copy of the Decision of the Board of Thurston County Commissioners relating to the above-mentioned case.

Any appeal of this land use decision must be filed in Superior Court pursuant the Land Use Petition Act, RCW Chapter 36.70C.040.

Please contact me at (360) 867-2117 if you have questions regarding this Decision.

Sincerely,

Sonja Cady | Land Use Clerk

Thurston County Community Planning & Economic Development
3000 Pacific Ave SE, Suite 100, Olympia, Washington 98501
Phone (360) 867-2117 | **Mobile** (360) 972-6785 | | **Fax** (360) 754-2939 | **TDD** (800) 833-6388
sonja.cady@co.thurston.wa.us | www.thurstoncountybdc.com

1
2
3 BEFORE THE BOARD OF COUNTY COMMISSIONERS
4 THURSTON COUNTY, WASHINGTON

5 In the Matter of the Appeal of Special Use Permit
6 Application by Convergent Energy-Battery Energy
7 Storage System to construct a 5.4-megawatt
8 lithium-ion battery energy storage system (BESS) at
9 7505 183rd Avenue SW, Rochester, Washington.

Sequence No.
Project No. 2024104116

DECISION

10 of the March 9, 2026
11 Hearing Examiner Findings, Conclusions, and
12 Decision on Reconsideration

13 THIS MATTER came before the Board of County Commissioners (“Board”)¹ on March
14 19, 2026, due to Brian Haight and Tamara Haight (“Appellants”) filing an appeal seeking full
15 reversal of the Hearing Examiner’s decision on reconsideration, dated March 9, 2026. The
16 Hearing Examiner approved a special use permit in favor of applicant, Convergent Energy and
17 Power (“Applicant”). The Hearing Examiner’s decision approved the Special Use Permit with
18 twenty-five enumerated conditions. The Community Planning and Economic Development
19 department also issued a Mitigated Determination of Non-Significance (“MDNS”) on August 14,
20 2025, pursuant to the State Environmental Procedures Act, Chapter 43.21c RCW.

21 On March 19, 2026, Appellants filed an appeal of the Hearing Examiner’s decision on
22 reconsideration. No appeal was filed regarding the associated MDNS. On May 20, 2026, the
23 Board held a public meeting to consider this appeal.

APPEAL BEFORE THE BOARD

24 The Hearing Examiner Chapter of the Thurston County Code outlines the Board’s duties
25 on appeal:

26 At the closed record appeal meeting the board may adopt, amend and adopt,
27 reject, reverse, and amend conclusions of law and the decision of the examiner,
28 or remand the matter for further consideration. If the board renders a decision
29 different from the decision of the examiner, the board shall adopt amended
30 conclusions accordingly.

31 Thurston County Code 2.06.080(D).

32 _____
33 ¹ All five commissioners were present at the hearing.

1 Here, the Appellants allege and identify a primary issue as follows:
2

3 Primarily, there is a misapplication of the Comprehensive Plan requirements that
4 uses sited in this zoning serve the everyday needs of rural residents and this specific
5 community. There is also a failure to meet the requirements of Thurston County
Code for energy infrastructure of this type, namely, a full accounting of site
alternatives and showing of need to site at this particular location.²

6 Appellants also raised four additional specific issues as follows:

- 7 A. Fire safety and toxic emissions risk,
- 8 B. Wildfire risk,
- 9 C. Groundwater contamination risk, and
- 10 D. Noise and visual impacts.³

11 **DECISION ON APPEAL**

12 The Board **affirms** the Hearing Examiner’s decision to approve special use **with
13 additional procedural conditions** as specified below.

14 Having considered the record and arguments before the Board, the Board adopts and
15 affirms the Hearing Examiner’s conclusions of law and decision on reconsideration. The Board
finds that the Hearing Examiner made findings and conclusions based on the record before her
and applied applicable law and therefore did not err in rendering any decision material to the
issues raised by Appellants.

16 Nonetheless, the Board finds that considerable concern in the record over the completion
17 of fire preparedness plans warrants additional procedural safeguards. The Hearing Examiner
acknowledged that “the concern regarding fire is not speculative.” *Finding No. 32*. The West
18 Thurston Regional Fire Authority raises significant questions and criticisms with the forthcoming
review of plans, *Findings Nos. 33 & 39*, and concerns and questions are raised by numerous
19 neighboring property owners, including Appellants, *Finding No. 32*. Like the Hearing Examiner,
the Board is in no position to evaluate mitigation and emergency fire plans, nor is there anything
20 in the record that substantiates the idea that issuance of a fire safety permit is impossible. In any
event, the prospect of either the Hazard Mitigation Analysis or Fire Safety/Emergency Response
Plan failing review warrants earlier evaluation.⁴

21
22 ² Notice of Appeal, Appellant Narrative, at pp. 2.

³ *Id.* at 2-4.

23 ⁴ Recent improvements in BESS regulation, including adoption of NFPA 855, have resulted in less fire
incidents nationwide. *Findings 52 & 53*. Nonetheless, the Board is convinced that the implementation of new
regulations at an earlier stage of development can only help minimize or avoid harm and risk from fire.

1 If the County waited to review emergency plans once the facility is “energized” or receives
2 final inspection, as currently conditioned, the project would be built before facing the prospect of
3 having to decommission the facility in the event it fails review. Not only would the public be
4 subjected to the impacts of an already built facility, the County and its taxpayers would be
5 burdened with enforcing a violation after the fact. Moreover, a proactive approach is necessary to
6 ensure the public that the project design is informed by hazard mitigation and emergency plans,
7 rather than the other way around.⁵ Such plans are essential to addressing potential health and
8 safety effects, impacting groundwater and air quality, in addition to obvious risk to life and
9 property.

6 In all other respects, the Hearing Examiner’s decision properly applies the County code
7 to the facts in the application and record. The Hearing Examiner’s approval and now the Board’s
8 affirmance relies substantially upon the continued compliance with NFPA 855, IFC Chapter 12,
9 UL 9540A, and the conditions of approval that are all enforceable. Additional permitting
10 associated with this project is not merely ministerial and requires substantive review. Indeed, even
11 the Applicant concedes “[i]f the Fire Marshal is not satisfied that the plans meet all applicable
12 safety standards, the project will not be built.” *Response Brief p. 3*. Nonetheless, the mere
13 possibility of denial at a later stage does not give rise to a denial of special use under the County’s
14 current code.

11 The Board’s role in this matter is a closed-record quasi-judicial appellate role requiring
12 application of the existing Thurston County Code, Comprehensive Plan provisions, and
13 evidentiary record developed before the Hearing Examiner. The Board’s decision in this matter
14 is limited to the legal and evidentiary standards applicable to this appeal and should not be
15 interpreted as a broader legislative determination regarding future Battery Energy Storage System
16 policy within Thurston County.⁶

14 **IT IS HEREBY ORDERED AS FOLLOWS:**

15 The Hearing Examiner’s Decision is adopted and affirmed in its entirety with the addition
16 of amendments to the Hearing Examiner conditions as follows:

17 *Condition 11, p. 32 of 42.*

18 Prior to construction and issuance of any grading or building permits energizing the BESS
19 facility, the Applicant shall submit and secure approval of a Hazard Mitigation Analysis
20 and Fire Safety/Emergency Response Plan. The approved Analysis and Plan shall be
21 provided ~~provide the approved Hazard Mitigation Analysis and Fire Safety/Emergency~~

20 ⁵ County fire code official could require additional mitigation or operational safeguards during plan review
21 and approval. The “[F]ire Code Official may coordinate with the fire district and incorporate conditions
22 addressing the fire districts needs into the fire permit conditions. *Finding No. 64.*

22 ⁶ The Board notes that, separate and apart from this quasi-judicial proceeding, the Board previously directed
23 that potential Battery Energy Storage System code updates be added to the County’s legislative planning
docket for evaluation of whether additional regulations may be warranted to address evolving standards and
safety considerations, including fire protection requirements, setbacks, and related land use considerations
associated with future Battery Energy Storage System proposals.

1 ~~Response Plan~~ to the serving Fire District/Regional Fire Authority. The Applicant shall
2 coordinate with the District to conduct at least one pre-incident planning walk-through
3 and training session for responding personnel, including explanation of system layout,
shut-down procedures, access routes, and water supply. Documentation of this
coordination shall be provided to the Fire Code Official.

4 *Condition 25, p. 34 of 42.*

Prior to construction, the Applicant shall:

- 5 a. Pay outstanding construction review and inspection fees,*
- 6 b. Receive erosion and sediment control permit,
- 7 c. Have the erosion and sediment control inspected and accepted,
- 8 d. Receive a construction permit, ~~and~~
- 9 e. Schedule a pre-construction conference with County staff-, and
- 10 f. Secure the approval of a Hazard Mitigation Analysis and Fire Safety/Emergency
11 Response Plan.

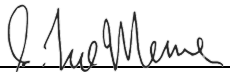
12 DATED: May 27, 2026

BOARD OF COUNTY COMMISSIONERS
THURSTON COUNTY, WASHINGTON

13 ATTEST:

14 

Clerk of the Board

15 

TYE MENSER, Chair

16 

WAYNE FOURNIER, Vice Chair

17 APPROVED AS TO FORM:

18 JON TUNHEIM
PROSECUTING ATTORNEY

19 

CAROLINA MEJIA, Commissioner

20 By: 

Deputy Prosecuting Attorney

21 Opposed

RACHEL GRANT, Commissioner

22 Abstained

EMILY CLOUSE, Commissioner

From: Zac Small <tracksmall22@gmail.com>
Sent: Sunday, June 7, 2026 11:14 AM
To: PDS comments
Subject: Energy Siting and Permitting EIS Scoping Comment

Spam

Hello,

As the public comment period comes to a close, I wanted to share a website I created documenting the Samish Island BESS project and related materials.

The site consolidates the project timeline, sound studies, permitting documents, public records, media coverage, and policy considerations in a single location.

While I have previously submitted presentations and supporting materials, I thought it may be helpful to provide a centralized resource as the project team continues evaluating battery energy storage siting and permitting considerations.

www.samishislandbess.com

Thank you,

Zac Small
Primary Residence: 816 Mclean Dr. Sedro-Woolley
Property Owner: 10393 Halloran Rd. Bow (Samish Island)

Robby Eckroth

From: Sarah Roberts <saraharoberts@gmail.com>
Sent: Monday, May 18, 2026 10:03 AM
To: PDS comments
Subject: Energy Siting and Permitting EIS Scoping Comment

To Skagit County Planning Department

Thank you for the opportunity to comment on the EIS scoping and clean energy permitting.
I have two comments:

1. The committee evaluating impact and EIS scope must be required to consider the best and latest available science and practices related to clean energy. In particular I am thinking about BESS and the alarmist information that is circulating currently in the county. Large scale battery storage has indeed been associated with fires in the past, however my understanding, and information I have received from knowledgeable folks working on this issue, is research and development, new protocols and technological advances have made BESS facilities safe, and that they are now approved by large fire departments and regulators in areas outside of Skagit county.

2. When considering permitting and development of clean energy technology, with appropriate siting, we must consider the ongoing impacts of our current energy sources, and the consequences of NOT taking action and allowing safe and thoughtful inclusion of clean technologies into our community. With increasing growth, current grid limitations, and reliance on fossil fuels which are unequivocally not clean, we as a county are becoming less resilient, and saddled with rising costs and polluting emissions. It is not as if our current energy sources have no environment and community health impacts.

I plan on attending the open house to learn more.

Thank you for your thoughtful and careful work on this.

Sarah Roberts
Anacortes, WA

Robby Eckroth

From: xuhua.mu2@gmail.com
Sent: Wednesday, May 20, 2026 3:06 PM
To: PDS comments
Subject: Energy Siting and Permitting EIS Scoping Comment

Dear Planning Commission and Planning & Development Services Staff,

Thank you for initiating the Clean Energy Siting and Permitting (CESP) process and for providing opportunities for public engagement regarding future energy development in unincorporated Skagit County.

I appreciate the County's stated goals of retaining local control, establishing clear standards, and incorporating community and Tribal input into future clean-energy siting decisions. However, after reviewing the project memorandum, slide deck, and FAQ materials, I believe the current scope of the Environmental Impact Statement (EIS) remains too focused on permitting pathways and technology categories, while lacking sufficient quantitative analysis regarding actual energy needs, grid constraints, affordability impacts, measurable public benefits, and long-term safety and environmental considerations.

I respectfully request that the EIS include substantially more detailed quantitative analysis in the following areas.

1. Quantitative Analysis of Energy Demand and Supply Shortfalls

The project materials repeatedly reference:

- "unprecedented growth in energy demand,"
- "rising number of inquiries and applications," and
- future clean-energy mandates.

However, the materials do not provide the public with:

- current countywide electricity demand,
- projected demand growth through 2030 and 2040,
- expected peak load increases,
- existing generation shortfalls,
- transmission limitations,
- or projected reliability risks.

The EIS should include:

- historical and projected electricity demand curves,
- projected electrification impacts from transportation and building conversion,
- estimates of required future generating capacity (MW),
- seasonal peak load analysis,
- reserve margin analysis,
- and identification of infrastructure deficiencies within the existing grid.

Without this quantitative foundation, the public cannot meaningfully evaluate whether the proposed clean-energy development framework is proportional, necessary, or cost-effective.

2. Clear Definition of "Clean Energy"

The project materials reference "clean energy" broadly, but the definition remains unclear and appears to encompass technologies with significantly different environmental, operational, and lifecycle characteristics.

The EIS should clearly define:

- what criteria qualify a technology as “clean energy,”
- whether lifecycle emissions are considered,
- how land-use impacts are evaluated,
- whether upstream manufacturing impacts are included,
- and how waste management and decommissioning are addressed.

For example:

- battery systems involve mining, disposal, and fire-risk considerations,
- hydrogen production may involve substantial energy and water consumption,
- bioenergy can involve combustion emissions,
- and small modular reactor technologies involve distinct long-term safety and waste-management questions.

A transparent and technically grounded definition of “clean energy” is essential for informed public review and meaningful policy evaluation.

3. Grid Hosting Capacity and Infrastructure Constraints

The presentation references a Puget Sound Energy hosting capacity map, but no technical explanation is provided regarding:

- actual substation constraints,
- feeder limitations,
- transmission bottlenecks,
- or available hosting capacity by geographic area.

The EIS should identify:

- current hosting capacity by region,
- areas where the grid is already constrained,
- projected infrastructure upgrade requirements,
- estimated costs of transmission and distribution upgrades,
- and anticipated timelines for utility improvements.

In addition, the EIS should clearly identify who is expected to bear those costs:

- developers,
- utilities,
- taxpayers,
- or ratepayers through future utility rate increases.

This issue is critically important given that many Skagit County residents are already experiencing significant electricity cost increases.

4. Evaluation of Affordability and Ratepayer Impacts

The current materials focus heavily on permitting efficiency and development predictability but provide little discussion of:

- residential electricity affordability,
- long-term utility cost impacts,
- or consumer protections.

Because Puget Sound Energy functions as the dominant electricity provider within the county, it is essential that the EIS evaluate whether the proposed policies will:

- reduce,
- stabilize,

- or potentially increase future electricity costs for residents and businesses.

The EIS should therefore include:

- projected ratepayer impacts associated with major infrastructure expansion,
- lifecycle cost comparisons among technologies,
- anticipated utility capital investments,
- and analysis of whether locally generated energy will materially benefit local customers.

The public should understand whether these policies are expected to improve affordability or simply accelerate infrastructure expansion with costs ultimately passed on to consumers.

5. Expanded Alternatives Analysis

The current EIS framework appears limited to:

- an “Action Alternative,” and
- a “No Action Alternative.”

This binary structure is too narrow for a long-term countywide energy-planning effort. Additional alternatives should be studied, including:

- distributed-energy-first strategies,
- rooftop solar prioritization,
- microgrid and resilience-hub development,
- energy-efficiency and conservation alternatives,
- demand-response programs,
- phased development approaches,
- and community-scale generation models.

The EIS should evaluate whether some combinations of distributed generation and conservation could reduce the need for large-scale infrastructure expansion while providing greater resilience and affordability benefits to local communities.

6. Measurable Public Benefit Standards

The current project materials emphasize:

- streamlined permitting,
- predictable development standards,
- and development pathways.

However, the EIS should also define measurable public-interest outcomes. The County should establish evaluation criteria for:

- electricity affordability,
- reliability improvements,
- outage resilience,
- local economic benefit,
- long-term operational employment,
- emergency preparedness,
- environmental performance,
- and public safety outcomes.

The public should be able to understand how project success will be measured beyond the number or speed of approved permits.

7. Technology-Specific Lifecycle, Safety, and Feasibility Analysis

Several technologies under consideration including hydrogen systems and fusion-based small modular reactors, involve substantial uncertainties related to:

- commercial readiness,
- infrastructure requirements,
- cost,
- environmental impacts,
- and long-term operational feasibility.

The EIS should include:

- lifecycle cost analysis,
- decommissioning considerations,
- fire and hazardous-material risks,
- emergency response requirements,
- water and land-use impacts,
- waste-management requirements,
- and realistic deployment timelines for each technology category.

Battery storage facilities, hydrogen systems, bioenergy facilities, and advanced reactor technologies each present unique safety and environmental considerations that deserve detailed technical review and public transparency.

8. Governance, Safety, and Environmental Expertise

The advisory structure includes representation from Puget Sound Energy and economic development interests. The County should also ensure that:

- residential ratepayer interests,
 - public safety expertise,
 - emergency management professionals,
 - environmental scientists,
 - wildfire and hazardous-material specialists,
 - and independent technical experts
- are adequately represented throughout the planning process.

Given the complexity and potential long-term impacts of these technologies, the advisory process should not focus solely on permitting, development, or economic considerations. Safety, environmental protection, and long-term community resilience deserve equal representation and technical expertise.

Closing

Clean-energy planning is an important long-term issue for Skagit County. Before the County establishes streamlined permitting pathways for future energy projects, the public deserves a clear quantitative understanding of:

- actual energy supply shortfalls,
- projected demand growth,
- infrastructure constraints,
- affordability impacts,
- lifecycle environmental effects,
- safety considerations,
- and measurable public benefits.

I respectfully request that the EIS scope be expanded to include these analyses so that future policy decisions are grounded in transparent technical, economic, environmental, and public-interest evaluation rather than permitting considerations alone.

Thank you for your consideration and for providing opportunities for public participation.

Sincerely,

Xuhua Mu
Anacortes, WA

Robby Eckroth

From: Anna MacKinnon <anna@kooshoo.net>
Sent: Friday, May 22, 2026 1:17 PM
To: PDS comments
Cc: swmayor@sedro-woolley.gov
Subject: Energy Siting and Permitting EIS Scoping Comment

Spam

Skagit County Planning and Development team,

I am writing to express my concerns about the proposed battery energy storage system in Sedro-Woolley, part of the initiative to evaluate renewable energy facilities.

While I support sustainable energy, several significant issues make this project unwise for our community:

1. Environmental Impact: Battery storage systems can negatively affect local ecosystems through land use changes, habitat destruction, and chemical spill risks, threatening our unique wildlife and natural resources.
2. Safety Risks: Large-scale battery installations pose safety hazards, including fire risks and chemical leaks, which could endanger our community and complicate emergency response efforts. All you have to do is search for BESS fires around our country and surprising what you'll find — [Seven examples from 2019 thru 2025 are given below this email.](#)
3. Community Sentiment: Many residents of Sedro-Woolley and Skagit County oppose developments that do not align with our community values, this BESS initiative being one such development.
4. Alternative Solutions: I urge decision-makers to consider renewable energy sources like solar, which may be more suitable and less intrusive for our community.

While the transition to renewable energy is important, the proposal for a battery energy storage system raises serious concerns that deserve careful reconsideration before implementing such a system.

Thank you for your time,

Anna MacKinnon
 Sedro-Woolley, WA

- Surprise, Arizona — April 19, 2019: [A BESS explosion and fire at the McMicken facility](#) injured four firefighters. A later report attributed it to an internal failure in a lithium-ion cell that led to thermal runaway.
- East Hampton, New York — May 31, 2023: [A 5 MW BESS fire](#) closed nearby roads and disrupted LIRR Montauk Branch service. No injuries were reported, but the incident caused significant disruption.
- Warwick, New York — June 26, 2023: [A 12 MW battery storage facility fire broke out just a month after completion.](#) It was contained, with no injuries reported, but it drew state-level scrutiny.
- Town of Lyme, Jefferson County, New York — July 27, 2023: [A third BESS fire in New York that summer](#) triggered Governor Hochul to form a state inter-agency working group on BESS safety.
- Otay Mesa / San Diego, California — May 15, 2024: [The Gateway Energy Storage Facility fire led to continued flare-ups](#) for seven days afterward, and EPA required extensive environmental monitoring during battery handling and disposal.
- Monterey County, California — January 16, 2025: [A fire at the Moss Landing Energy Storage Facility](#) caused a 24-hour evacuation of about 1,200 residents. EPA says the fire was contained to one building, but monitoring and battery-storage handling continued afterward.
- Warwick, New York — June 2023 and December 2025: [Reporting on the Warwick site says a June 2023 fire involved water infiltration tied to a manufacturing defect,](#) and a later December 2025 fire involved an unauthorized system that should not have been operating.

From: Ingrid Hinton <ing.hinton@gmail.com>
Sent: Monday, May 25, 2026 8:10 PM
To: PDS comments
Subject: "Energy Siting and Permitting EIS Scoping Comment"

I object PSE being allowed a seat in the Advisory Council intended to be a community and "public" input committee.

PSE will benefit financially from the building of these, even if the community and the environment is impacted. PSE should not be given one of the limited seats available on the committee.

Would like an answer to these questions.

Ingrid and Charles Hinton
22128 State Route 9 #178
Mt Vernon, WA. 98274

360-466-8664

From: Tom Carpenter <tom.carpenters@proton.me>
Sent: Monday, May 25, 2026 8:16 PM
To: PDS comments
Subject: Energy Siting and Permitting EIS Scoping Comment
Attachments: 2026 05.25 Skagit_EIS_Scoping_Comment.pdf

Spam

SCOPING COMMENT

Energy Siting and Permitting Environmental Impact Statement
Skagit County Planning and Development Services

To: Skagit County Planning and Development Services
Re: Energy Siting and Permitting EIS Scoping Comment
Date: May 26, 2026]
From: Tom Carpenter, 3509 D Avenue #F3, Anacortes, WA 98221

I. Introduction

I am a resident of Anacortes, Washington and a member of the Skagit Commons cohousing community. I write as a citizen of Skagit County and as someone with 44 years of professional experience in nuclear safety, environmental law, and energy facility oversight. I strongly support the County's initiative to develop a programmatic Environmental Impact Statement (EIS) for clean energy siting and regulation. These comments are offered to assist the County in scoping an EIS that is rigorous, protective of public health and the environment, and fully informed by the best available science.

I address the four energy types under study in turn, and conclude with recommendations that the EIS scope be expanded to include wind energy and geothermal energy.

II. Solar Energy Facilities — Support with Protective Siting Standards

I support the inclusion of solar energy facilities in the action alternative and encourage the County to develop a clear, streamlined permitting pathway for them.

For EIS scoping purposes, I recommend the following issues receive full analysis:

Agricultural Land Compatibility. The EIS should evaluate siting criteria that prioritize disturbed or low-productivity lands, rooftops, parking lots, and brownfields over prime farmland. Skagit County's agricultural heritage — including its tulip and berry operations — deserves protective buffers and setback standards. The EIS should study dual-use (agrivoltaic) designs that allow compatible farming beneath and around solar arrays.

Stormwater and Soils. Ground-mounted arrays alter precipitation patterns at the soil surface. The EIS should analyze erosion, infiltration, and runoff impacts, particularly on lands near drainage districts and dike systems, which are prominent in Skagit County.

Biological Resources. The EIS should evaluate impacts on pollinators, migratory bird corridors, and wetland-adjacent habitats, and should identify mitigation through native vegetation buffers and wildlife-friendly design standards.

Visual Quality and Glare. The EIS should include screening and landscaping standards, particularly near residential areas and scenic corridors.

Decommissioning. The EIS should require that permitting standards include financial assurance for panel removal and recycling at end of life, to avoid creating future waste liabilities.

Overall, solar energy presents manageable, well-understood environmental impacts that can be effectively mitigated through siting criteria and performance standards. I encourage the County to prioritize solar as a central component of its clean energy framework.

III. Battery Energy Storage Facilities (BESS) — Strong Support as Essential Renewable Infrastructure

Battery energy storage is not merely a complement to solar generation — it is an essential enabler of a reliable, renewable energy grid. The pairing of solar generation with battery storage addresses the intermittency challenge that has historically limited renewable deployment, and modern battery systems have advanced substantially in both safety engineering and performance. I strongly support the inclusion of BESS in the action alternative and encourage the County to develop a permitting framework that facilitates responsible deployment.

Modern lithium-ion and other advanced battery chemistries are now engineered with multiple layers of protection against thermal events, including battery management systems, cell-level fusing, and passive thermal controls. The EIS should recognize this technological progress and avoid applying outdated risk assumptions to current-generation systems.

For EIS scoping purposes, I recommend the following issues receive analysis, framed as a basis for developing sound performance standards rather than as barriers to deployment:

Fire Safety and Emergency Response Standards. A robust and well-developed body of national codes and standards already governs BESS fire safety, and the EIS should direct Skagit County to adopt and enforce those existing standards rather than attempting to develop its own from scratch. The primary framework consists of three interlocking standards: NFPA 855 (Standard for the Installation of Stationary Energy Storage Systems), NFPA 1 (Fire Code), and NFPA 70 (National Electrical Code), which together address design, installation, siting, setbacks, fire suppression, ventilation, and access controls.¹ NFPA 855 is now in its 2026 third edition and provides mandatory requirements developed through a process involving fire safety professionals, industry experts, and other interested parties.² Equipment certification requirements are addressed through UL 9540 (the listing standard for energy storage systems) and UL 9540A (the fire and explosion test method specified in the 2026 edition of NFPA 855 and the 2024 International Fire Code), which specifically addresses thermal runaway propagation risk.³ Referencing these established standards in Skagit County's permitting code ensures that BESS installations meet safety best practices without requiring the County to create safety standards from whole cloth. The EIS should recommend that Skagit County's permitting framework explicitly require compliance with the current editions of NFPA 855, NFPA 1, NFPA 70, and UL 9540/9540A

as conditions of approval for any BESS facility. I also encourage the County to engage the fire districts listed on the SEPA distribution list as partners in familiarizing local responders with BESS incident protocols — resources for which are available through the American Clean Power Association's First Responders Guide to Lithium-Ion Battery Energy Storage System Incidents.⁴

Hazardous Materials Containment. The EIS should evaluate spill containment requirements for battery electrolytes, particularly near waterways and agricultural lands, and should establish clear standards for decommissioning and battery recycling.

Overburdened Communities. Consistent with the scoping element on Impacts on Overburdened Communities, the EIS should include environmental justice criteria in BESS siting standards to ensure that large installations are not disproportionately concentrated near low-income or Tribal communities.

Grid Integration. The EIS should analyze transmission infrastructure needs and the cumulative benefits of distributed storage for grid resilience across Skagit County.

Solar and battery storage together represent the most cost-effective, rapidly deployable, and environmentally sound path to meeting Skagit County's energy needs. I urge the County to treat BESS as a priority use in its clean energy siting framework.

IV. Small Modular Nuclear Facilities — Strong Opposition; Demand Full and Unsparing EIS Analysis

I urge the County to give the most serious scrutiny to the inclusion of small modular nuclear reactors (SMRs) in the action alternative. Based on my 44 years of professional experience in nuclear safety and environmental law — including direct representation of workers and whistleblowers at nuclear facilities across the United States nuclear weapons complex — I have grave concerns about SMR technology that I believe must be fully and honestly addressed in the EIS. I strongly oppose the siting of SMRs in Skagit County and urge the County to consider excluding them from the action alternative entirely, or at minimum to study a separate sub-alternative that prohibits SMR siting. The reasons are detailed below.

A. Unproven Technology and Acute Cost Risk

The nuclear industry's promotional literature consistently describes SMRs as safe, affordable, and ready for deployment. The actual commercial record tells a very different story, and the EIS must grapple with it directly.

No commercial SMR in the United States has yet been licensed and built. The NuScale Power VOYGR project in Idaho — the most advanced U.S. SMR project and the only design to have received NRC design certification — was cancelled in November 2023 after projected construction costs rose from approximately \$58/MWh to \$89/MWh, with total estimated construction cost climbing from \$5.3 billion to \$9.3 billion. The Utah Associated Municipal Power Systems, which represented dozens of municipal utilities across the West, withdrew from the project because the economics had become untenable.⁵

This is not an isolated data point. The Vogtle Units 3 and 4 in Georgia — the only conventional nuclear units recently completed in the United States — came in at a final cost of approximately \$36.8 billion, more than double original estimates and seven years behind schedule.⁶

The TerraPower Sodium reactor, backed by Bill Gates and proposed for a site in Wyoming, represents a different and in some respects more concerning SMR design — a sodium-cooled fast

reactor. Sodium-cooled reactors have a particularly troubled commercial history worldwide, including the Monju reactor in Japan, the Superphénix in France, and the Fermi 1 reactor in Michigan, all of which experienced serious sodium fires or other failures and were ultimately shut down. Sodium reacts violently with both water and air, creating fire and explosion hazards that differ fundamentally from light-water reactor risks and that require specialized emergency response capabilities that no Skagit County fire district currently possesses.⁷

The EIS must require a rigorous, independent cost-benefit analysis comparing SMR development against continued investment in solar, battery storage, and other proven renewables — and must not rely on cost projections supplied by the nuclear industry itself.

B. Radioactive Waste: An Unsolved Problem Measured in Millennia

Every nuclear reactor generates high-level radioactive waste in the form of spent nuclear fuel. This is not a manageable inconvenience — it is one of the most technically and politically intractable problems in the history of industrial civilization. Spent nuclear fuel remains acutely hazardous for thousands of years and requires isolation from the human environment for periods measured in tens of thousands of years.

The United States has operated commercial nuclear reactors for over 60 years and has accumulated more than 90,000 metric tons of spent fuel stored at over 70 sites across 35 states — and still has no permanent repository. The proposed Yucca Mountain repository in Nevada was effectively abandoned after decades of political and technical controversy. There is currently no licensed path to permanent disposal of high-level nuclear waste in the United States.⁸

SMRs do not solve this problem. They generate it anew. Some SMR designs, including certain fast reactor concepts, produce waste streams with different isotopic compositions than conventional light-water reactors — waste that in some cases is more difficult to characterize, handle, and store. The claim that some SMR designs can “burn” existing spent fuel as a feedstock does not eliminate the waste problem; it transforms it into a different, and in some respects less well-understood, waste problem.

Another nuclear waste issue is the reactor itself. Once the reactor reaches the end of its usefulness, what is the disposition path for the fuel and the reactor itself?

The EIS must analyze in detail: (1) the specific types and quantities of radioactive waste that would be generated by any SMR design proposed for Skagit County siting; (2) where that waste would be stored, on what timeline, and under whose regulatory authority; (3) the physical security requirements for on-site spent fuel storage and the risks of prolonged interim storage; (4) the pathways by which stored waste could affect the Skagit River, Puget Sound, and groundwater used for agriculture and drinking water; and (5) the long-term financial liability that Skagit County and its residents would assume, directly or indirectly, for waste management costs that are currently unquantified and potentially open-ended.

C. Accident Risk, Containment Design Gaps, and Emergency Planning

The nuclear industry's central marketing claim for SMRs is that their smaller size and, in some designs, passive cooling systems make them inherently safer than conventional large reactors. This claim deserves critical scrutiny in the EIS and should not be accepted at face value.

Several proposed SMR designs, including some NuScale configurations and various fast reactor concepts, significantly reduce or eliminate the large, robust containment structures that are a defining safety feature of conventional light-water reactors. These containment structures exist precisely because no reactor design is immune to accident sequences that can breach fuel cladding and

release radioactive material. Reducing containment robustness in the name of cost savings or design simplification is not a safety improvement — it is a safety tradeoff that the EIS must evaluate honestly.

Passive cooling systems, while genuinely beneficial in some respects, have operational limits that the nuclear industry tends to understate. They function under the physical conditions for which they are designed; they are not guaranteed to function in unanticipated accident scenarios, seismic events, or extreme weather conditions of the kind that climate change is making more frequent and severe.

For emergency planning purposes, the NRC has proposed reducing the emergency planning zone (EPZ) radius for some SMR designs well below the ten-mile radius required for conventional reactors. This is a regulatory accommodation to SMR economics, not a finding that smaller reactors pose proportionally smaller accident consequences. A serious radioactive release, even from a smaller reactor, can travel far beyond any administratively reduced EPZ boundary. The EIS must evaluate: (1) what EPZ radius would be appropriate for any SMR design proposed for Skagit County; (2) whether Skagit County's emergency management infrastructure — including its road network, ferry-dependent island communities, and river-valley geography — is capable of executing an effective evacuation; and (3) what mutual aid agreements and specialized response capabilities would be required from state and federal agencies.

D. Worker Health, Dose Reconstruction, and the Limits of Compensation

My professional experience includes direct representation of workers and whistleblowers at nuclear facilities including Hanford, Rocky Flats, Pantex, and the Knolls Atomic Power Laboratory. That experience has given me a clear and sobering view of how the nuclear industry and its regulators have historically treated worker health: as a cost to be minimized and a liability to be managed, rather than as a moral and legal obligation to be honored.

The EIS must address worker health and safety for SMR construction and operations workers with a level of rigor that goes beyond the generic occupational safety assurances typically offered by project proponents. Specifically:

Dose monitoring and cumulative exposure. Workers at nuclear facilities are exposed not only to direct gamma radiation but to a range of activation products and internally deposited radionuclides whose health effects are not fully captured by conventional dosimetry. The dose reconstruction methodologies used to establish workers' compensation eligibility under the Energy Employees Occupational Illness Compensation Program Act (EEOICPA) have been repeatedly challenged as inadequate — because the institutional records on which they rely were often incomplete, deliberately withheld, or destroyed. The EIS should require that any SMR permitting framework include mandatory, independent dose monitoring for all workers, with records maintained in a format that supports future compensation claims.

Activation product pathways. Workers at nuclear facilities can be exposed to activation products — radioactive isotopes created when stable materials are irradiated by neutrons — through pathways that are not always captured by standard radiation protection programs. Sodium-24, for example, is created by neutron activation of sodium in the human body and in sodium-cooled reactor systems, and can deliver significant internal doses through pathways that differ from conventional gamma exposure routes. The EIS should require that occupational health programs for any SMR facility address the full range of activation product exposures relevant to the specific reactor design.

Compensation framework adequacy. EEOICPA provides compensation to workers at Department of Energy facilities who develop covered illnesses — but its coverage does not automatically extend to workers at privately operated commercial nuclear facilities regulated by

the NRC rather than DOE. The EIS should evaluate what worker compensation framework would apply to SMR construction and operations workers in Skagit County, and should identify any gaps between the likely exposure profile of SMR workers and the coverage available under existing law.

E. Tritium, Routine Releases, and Water Resource Impacts

All nuclear reactors release tritium and other radionuclides to air and water during routine operations. These releases are regulated but not zero, and their health significance is a matter of ongoing scientific debate, particularly for tritium, whose biological effectiveness as a radiation hazard has been argued to be underestimated by current regulatory standards.

The EIS must analyze the specific radionuclide release profile of any SMR design proposed for Skagit County siting — not generic industry averages — and must evaluate the pathways by which those releases could reach: the Skagit River and its tributaries, which support treaty-protected salmon runs; Puget Sound and the Salish Sea, which support shellfish harvests of economic and cultural significance; groundwater used for agricultural irrigation and domestic drinking water; and agricultural products — including the tulips, berries, and vegetables for which Skagit County is nationally known — that could be affected by deposition of airborne radionuclides.

The EIS should not assume that regulatory compliance with NRC effluent limits is equivalent to no impact. Regulatory limits are set to be achievable, not necessarily to be protective of all sensitive receptors in all exposure scenarios.

F. Proliferation Risk and HALEU Fuel Supply Chain

Several advanced SMR designs, including the TerraPower Sodium reactor, require High-Assay Low-Enriched Uranium (HALEU) fuel — uranium enriched to between 5% and 20% U-235, significantly above the enrichment level used in conventional light-water reactors. HALEU presents proliferation risks that are substantially greater than conventional reactor fuel: it is closer to weapons-grade material, requires more stringent physical security, and creates a more sensitive supply chain.⁹

Only Russia and China currently have the infrastructure to produce HALEU at commercial scale. Although the United States enacted a ban on Russian uranium imports in May 2024, domestic HALEU production capacity remains a small fraction of projected demand: the U.S. produced only approximately 900 kilograms of HALEU domestically in 2024, against projected annual demand of more than 50 metric tons by 2035. Congress has appropriated \$2.72 billion to accelerate domestic HALEU production, but that capacity does not yet exist at commercial scale, and the timeline for its development is uncertain.¹⁰

The EIS should evaluate: (1) what fuel type any SMR design proposed for Skagit County would require; (2) where that fuel would be produced and by whom; (3) what physical security requirements would apply to fuel storage and transport through Skagit County; and (4) what contingency plans exist if the fuel supply chain is disrupted.

G. Regulatory Jurisdiction and the Risk of County Preemption

Under the Atomic Energy Act, the NRC has exclusive jurisdiction over the construction and operation of nuclear reactors. States may enter into Agreement State status with the NRC for certain radiation control functions, but local governments — including counties — have no independent authority to regulate the radiological aspects of nuclear facility operations once an NRC license is issued.

This means that if Skagit County were to permit an SMR facility through its land use and siting process, it would thereafter have little or no regulatory authority over how that facility operates, what it

releases, how it handles waste, or whether it is safely decommissioned. The County's role would effectively end at the point of land use approval. All subsequent oversight would rest with the NRC — an agency whose regulatory record, in my professional experience and in the documented history of the U.S. nuclear industry, does not inspire confidence that worker and community health interests will consistently prevail over licensee economic interests.

The EIS must clearly analyze this jurisdictional reality and present it honestly to decision-makers and the public. County officials considering SMR siting should understand that they would be making a consequential, largely irreversible decision on behalf of their residents, with very limited ability to intervene if problems subsequently arise.

H. Environmental Justice and Tribal Treaty Rights

The Samish Indian Nation, Sauk-Suiattle Indian Tribe, Stillaguamish Tribe, Swinomish Tribal Community, and Upper Skagit Tribal Council are all on the SEPA distribution list for this EIS — an appropriate recognition of their status as sovereign governments with treaty-protected rights in Skagit County. Those treaty rights include the right to take fish at usual and accustomed places in quantities sufficient to meet the needs of the Tribes — rights affirmed and enforced by federal courts for decades.

Radioactive contamination of the Skagit River system or Puget Sound — whether from a routine release, an operational incident, or a long-term waste storage failure — could constitute an irreversible impairment of those treaty-protected rights. This is not a speculative or remote concern. The documented history of nuclear facility operations at sites across the United States includes numerous instances of radioactive contamination of surface water, groundwater, and soil — contamination that persists for generations. The EIS must evaluate SMR impacts on Tribal treaty resources with the seriousness that both federal trust responsibility and basic environmental justice require.

I. No Action is the Protective Alternative for SMRs

Given the constellation of concerns documented above — unproven and costly technology, an unresolved radioactive waste crisis, containment design gaps, documented failures of worker health protection, water resource risks, proliferation concerns, and the near-total loss of local regulatory control — I submit that the No Action Alternative is clearly the most protective course of action with respect to small modular nuclear facilities. Retaining existing regulations without creating a streamlined SMR permitting pathway protects Skagit County residents, agricultural resources, salmon-bearing waters, and Tribal treaty rights from risks that are substantial, long-lasting, and in important respects irreversible.

The EIS should clearly analyze this outcome, compare it honestly against the risks of the action alternative, and present that comparison to the public and to County decision-makers in plain, accessible language.

V. Renewable Fuel Facilities

I do not oppose the study of renewable fuel facilities in principle, but urge the EIS to carefully distinguish among fuel types. Facilities producing hydrogen from electrolysis using renewable electricity present a different risk and benefit profile than facilities producing fuels from combustion of

biomass, waste streams, or fossil feedstocks with carbon capture. The EIS should define “renewable fuel” with precision and analyze each fuel pathway separately, including air quality impacts (particularly relevant given the Northwest Clean Air Agency’s presence on the distribution list), water use, land use, and feedstock sourcing.

VI. Recommended Addition: Wind Energy Facilities

I urge the County to consider expanding the EIS scope to include wind energy facilities as an additional energy use to be studied. Wind generation is a proven, cost-competitive, and rapidly growing component of the Pacific Northwest’s renewable energy portfolio, and Skagit County’s geography — including its coastal exposure, valley corridors, and eastern uplands — may present viable wind resource areas. Excluding wind from this programmatic EIS would leave a significant gap in the County’s clean energy planning framework and could require a separate, duplicative environmental review process in the future.

If wind is added to the EIS scope, I recommend analysis of the following issues:

Siting and Land Use. The EIS should evaluate setback standards from residences, schools, and sensitive receptors, and should identify zones where wind development is compatible with agricultural operations and natural resource lands. Skagit County’s flat agricultural valley and hillside forest lands present distinct siting considerations that the EIS should address separately.

Biological Resources — Birds and Bats. The EIS should require pre-construction avian and bat surveys as a permitting condition, evaluate the significance of migratory corridors in Skagit County, and identify turbine siting exclusion zones near sensitive habitats. Modern mitigation technologies — including radar-activated curtailment systems — should be evaluated as performance standards.

Noise and Shadow Flicker. The EIS should establish noise standards and shadow flicker limits for turbines sited near residences, and should evaluate cumulative noise impacts from multiple turbine arrays.

Visual Quality. Wind turbines are highly visible landscape features. The EIS should evaluate visual impact zones and include standards for lighting, color, and turbine design to minimize visual intrusion, particularly near scenic corridors and recreational areas.

Tribal Consultation. Given the cultural and spiritual significance of certain landscape features and viewsheds to the Tribal nations in Skagit County, early and meaningful Tribal consultation on wind siting criteria is essential.

Offshore and Near-Shore Wind. Given Skagit County’s proximity to Puget Sound and the Salish Sea, the EIS should briefly address whether near-shore wind development is within the County’s planning jurisdiction and, if so, what additional environmental considerations — including marine mammal and fisheries impacts — would apply.

Adding wind energy to the EIS scope would position Skagit County to capture the full range of renewable energy opportunities available in this region and would ensure a comprehensive, coordinated planning framework for the County’s clean energy future.

VII. Recommended Addition: Geothermal Energy Facilities

I also encourage the County to consider whether geothermal energy development warrants inclusion in this programmatic EIS. While large-scale hydrothermal geothermal resources are concentrated in eastern Washington and other parts of the Pacific Northwest, the growing availability of ground-source heat pump systems and emerging enhanced geothermal system (EGS) technologies may make geothermal relevant to Skagit County's energy planning horizon.

At minimum, the EIS should address:

Ground-Source Heat Pump Systems. Distributed ground-source heat pump installations — which draw on shallow geothermal energy for heating and cooling — are increasingly common in the Pacific Northwest and may be appropriate for residential, commercial, and agricultural applications in Skagit County. The EIS should evaluate whether the County's current code addresses these systems adequately or whether updated standards are needed.

Enhanced Geothermal Systems (EGS). EGS technology, which creates geothermal reservoirs in hot dry rock through hydraulic stimulation, is advancing rapidly and may become commercially viable in the Pacific Northwest within the planning horizon of this EIS. The EIS should briefly evaluate whether EGS development is a foreseeable use in Skagit County and, if so, what seismic risk, water use, and land use considerations would require analysis.

Water Resources. Any geothermal development should be evaluated for impacts on groundwater resources, particularly given the importance of groundwater to Skagit County's agricultural economy and to salmon-bearing tributary streams.

If the County determines that geothermal development is not foreseeable within the EIS planning horizon, it should briefly document that determination so that future decision-makers have a clear record of the analysis.

VIII. Additional Scoping Recommendations

Cumulative Impacts. The EIS should analyze cumulative impacts across all energy facility types — including the possibility of multiple large facilities sited in the same area — and not treat each technology in isolation.

Climate Resilience. Siting criteria should account for climate change projections, including increased flood risk in Skagit River valley lowlands, wildfire risk in the eastern county, and sea level rise affecting coastal and delta areas.

Agricultural Land Protection. Given Skagit County's designation as one of the most productive agricultural counties in Washington, the EIS should include a strong alternative that prioritizes non-agricultural lands for all energy facility types.

Public Participation. I commend the County for scheduling open houses in Anacortes, Mount Vernon, and Concrete. I encourage the County to ensure that Tribal governments have meaningful early consultation opportunities beyond the formal SEPA comment process.

IX. Conclusion

Skagit County has an opportunity through this EIS to become a model for responsible clean energy siting. Solar energy and battery storage, properly sited and regulated, can deliver substantial economic and environmental benefits to Skagit County residents with manageable, mitigable impacts.

The addition of wind and geothermal to the EIS scope would further strengthen the County's clean energy planning framework. Small modular nuclear facilities, by contrast, pose risks that are disproportionate to their benefits, rest on technology that has not yet been proven commercially viable, and would saddle the County with long-term radioactive waste and liability burdens that Skagit County residents should not be asked to bear.

I urge the County to scope the EIS accordingly and to give these concerns the full technical and legal analysis they require.

Respectfully submitted,

Tom Carpenter
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Anacortes, WA 98221
tom.carpenters@pm.me

Endnotes

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- ² American Clean Power Association, "NFPA 855: Improving Energy Storage System Safety" (November 2025). Available at: https://cleanpower.org/wp-content/uploads/gateway/2024/01/NFPA855_Safety_240111.pdf
- ³ UL Solutions, "Installation Codes and Requirements for Energy Storage Systems (ESS) — FAQs" (updated March 2026). Available at: <https://www.ul.com/resources/installation-codes-and-requirements-energy-storage-systems-ess-faqs>
- ⁴ American Clean Power Association, First Responders Guide to Lithium-Ion Battery Energy Storage System Incidents. Available through: <https://cleanpower.org>
- ⁵ E&E News, "NuScale cancels first-of-a-kind nuclear project as costs surge" (November 2023); National Rural Electric Cooperative Association Advisory, "NuScale and UAMPS End SMR Project" (December 2023); Institute for Energy Economics and Financial Analysis, NuScale CFPP cost analysis (2023). Original cost target of \$58/MWh: Neutron Bytes, "NuScale's SMR Costs Hit Hard by Inflation" (January 2023). Available at: <https://www.eenews.net/articles/nuscale-cancels-first-of-a-kind-nuclear-project-as-costs-surge/>
- ⁶ EnergyTransition.org, "The billion-dollar boondoggle: how Vogtle became the US's monument to nuclear folly" (April 2026); Georgia WAND/Georgia Conservation Voters, Plant Vogtle: The True Cost of Nuclear Power in the U.S. (May 2024). Available at: <https://energytransition.org/2026/04/the-billion-dollar-boondoggle-how-vogtle-became-the-uss-monument-to-nuclear-folly/>
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- ⁸ U.S. GAO, "Nuclear Waste Disposal" (updated 2024); U.S. GAO, "Commercial Spent Nuclear Fuel: Congressional Action Needed to Break Impasse and Develop a Permanent Disposal Solution" (GAO-21-603, September 2021); Scientific American, "Nuclear Waste Is Piling Up. Does the U.S. Have a Plan?" (February 2025). Available at: <https://www.gao.gov/nuclear-waste-disposal>
- ⁹ World Nuclear Association, "High-Assay Low-Enriched Uranium (HALEU)" (updated February 2026); Nuclear Innovation Alliance, "Securing America's Energy Future with Domestic Uranium Enrichment" (January 2025). Available at:

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Tom Carpenter

From: Fran Korten <fran.korten@gmail.com>
Sent: Thursday, May 28, 2026 1:24 PM
To: PDS comments
Subject: Energy siting and permitting EIS scoping comment

My name is Fran Korten and I live on Bainbridge Island, in Kitsap County. So I am not directly one of your constituents. But I do care a lot about what happens in your county, which can have important effects for our State and our nation.

I hope you will develop a strong EIS for energy siting and permitting that can be a model for others.

I strongly support solar energy and battery storage as the foundation of our local clean energy future, and I urge the EIS to develop strong siting standards that protect prime farmland, salmon-bearing waters, and the visual character of our communities.

I am concerned about the spread of Small Modular Reactors, given that the spent fuel is highly radioactive and we have no place to store it other than on the site where it is generated. This poses a significant risk to local communities. Consequently I urge the County to conduct an independent, unsparing analysis of the costs, radioactive waste burdens, accident risks, and loss of local regulatory control that come with SMR siting.

I also hope the County will consider wind energy facilities, a great source of clean energy and particularly suited for Skagit County.

Fran Korten, Bainbridge Island

From: N S <nshimeall@gmail.com>
Sent: Friday, May 29, 2026 11:51 AM
To: PDS comments
Subject: Energy Siting and Permitting EIS Scoping Comment

As Skagit County residents my family and I strongly support solar energy and battery storage (BESS) to ensure we meet energy demands and ensure that we transition to local clean energy.

I also strongly support a rigorous Environmental Impact Statement for the County's clean energy siting process. I urge that the EIS includes strong siting standards that protect prime farmland, salmon-bearing waters, and the visual character of our communities.

I am also concerned about small modular nuclear reactors (SMR). I urge the County to conduct an independent analysis of the costs, radioactive waste burdens, accident risks, and loss of local regulatory control that come with SMR siting.

No commercial SMR has been successfully licensed and built in the United States, and the commercial record of cost overruns and project cancellations are of serious concern. Skagit County's residents, agricultural lands, and Tribal treaty resources deserve full protection.

I also encourage the County to expand the EIS scope to include **geothermal energy as well as** wind energy facilities, which are proven, cost-competitive, and appropriate for Skagit County's geography.

Thank you for considering these comments and for ensuring that our county transitions to clean energy for the best possible future.

Nancy Shimeall
La Conner, WA

I live on reservation land that has been stewarded for thousands of years by the Swinomish Coast Salish People, and I am grateful that the Swinomish people will continue to hold sacred this land for future generations.

Robby Eckroth

From: Terry Nelson <terry@svcea.org>
Sent: Friday, May 29, 2026 12:18 PM
To: PDS comments
Subject: Energy Siting and Permitting EIS Scoping Comment

Hello-

I am a lifetime Skagit County resident writing to support a rigorous Environmental Impact Statement for the County's clean energy siting process. I strongly support solar energy and battery storage as well as thermal energy networks as the foundation of our local clean energy future, and I urge the EIS to develop strong siting standards that protect prime farmland, salmon-bearing waters, and the visual character of our communities.

Regarding small modular nuclear reactors, I urge the County to conduct an independent, unsparing analysis of the costs, radioactive waste burdens, accident risks, and loss of local regulatory control that come with SMR siting. No commercial SMR has been successfully licensed and built in the United States, and the commercial record of cost overruns and project cancellations gives me serious concern. Skagit County's residents, agricultural lands, and Tribal treaty resources deserve full protection. I also encourage the County to expand the EIS scope to include thermal energy networks, which are proven, cost-competitive, and appropriate for Skagit County's geography.

Thank for the opportunity to weigh in.

Terry Nelson
President
Skagit Valley Clean Energy Alliance
terry@svcea.org

From: Terry Nelson <terry@svcea.org>
Sent: Monday, June 15, 2026 12:56 PM
To: PDS comments
Subject: Energy Siting and Permitting EIS Scoping Comments

I have previously submitted a brief comment about the current EIS Scoping process, and since then I have learned considerably more from allies I have been working with for a long time now and whose efforts I strongly support. The allies I am specifically referring to in this case are 1) Betty Carteret, 2) Tom Carpenter and 3) Marylee Chamberlain. I have read either final or mostly complete drafts of the comments they have submitted to you, and I can't identify much, if anything, they have all written with which I disagree. Betty's comments are especially complete and convey a very accurate overall perspective on the issues. Her comments on page 2 of her submission about geothermal is very perceptive and I agree with her completely, I do believe that the EIS scope should include a more detailed analysis of geothermal options, especially ones often described as "geosource" because they involve shallow to no drilling such as the use of air-to-water heat pumps. District heating can be a very effective offset to fossil fuel power generation by supplying thermal energy. Experts have told me that up to 60% of our demand for electricity is for space and water heating, and if thermal energy can offset that demand a huge amount of carbon pollution can be avoided.

I especially agree with her and Tom Carpenter on the SMR issue, and even though I have been optimistic about fusion reactors in the past, I have been skeptical for quite a while, mostly based on their lack of success in recent history. I hope the Helion efforts succeed, but because it is still unproven, I remain somewhat skeptical. If it can produce steady and reliable electricity in the field, then I will start believing. I hope I can do that.

I also agree with Betty that wind isn't a viable option in Skagit County. I have also been told by other friends of mine with expertise on the subject, that tidal power isn't really viable around here either, but I hope they are wrong about that too.

I have been interested in clean energy since around 1980, when I was managing Nelson Lumber, in La Conner. At that time, the Carter administration and his Dept. of Energy created some very innovative and effective policies, such as solar tax credits. Had we continued his work we would be in a much stronger position as regards the climate impacts we are now experiencing in my opinion. One of my main concerns about the EIS scoping now under consideration is that proven technologies like solar and district heating need to be given more attention than unproven ones, like fusion. I wholly support investigation into new technologies, but it seems to me that efforts to deal with climate change are so important and so huge, as evidenced by recent flooding and impending heat waves, that we need to do whatever works to the greatest extent possible as soon as possible, and that involves using technologies that are already proven to work. In my opinion, solar plus BESS are proven and available now and are far less risky than conventional alternatives. We need serious permitting reform to allow the huge backlog of BESS and utility-scale solar to be utilized as soon as possible. Forming DERs which include microgrids, VPP's, and thermal energy networks seems like the best solution to me at the moment, but to be clear, I favor any approach that works and have always expected an all-of-the-above strategy to be necessary, as long as they are effective.

Because Betty, Tom, and Marylee have already done such a great job in their various analyses, it seems redundant for me to repeat them. Please consider my comments to be in support of theirs and that I am grateful and honored to be associated with them all.

Thank you for the opportunity to express my views in more detail.

Terry Nelson
President
Skagit Valley Clean Energy Alliance
La Conner, Wa.

From: Lisa Cohen <lisa.macek.cohen@gmail.com>
Sent: Thursday, June 4, 2026 8:44 PM
To: PDS comments
Subject: Energy Siting and Permitting EIS Scoping Comment

The Sierra Club Mount Baker Group appreciates the opportunity to comment during the scoping period for the Skagit County Clean Energy Siting and Permitting project. We commend Skagit County for taking a proactive approach to siting the low-carbon energy infrastructure essential for both combatting climate change, and maintaining competitiveness in the fast-growing global clean tech economy.

The urgency of climate change means we are faced with an imperative to quickly build out renewable resources while minimizing adverse environmental and cultural impacts. Ultimately, going through this process early on, in a careful manner, saves time by avoiding unnecessary litigation and local opposition that delays or prevents projects being built. The focus of regulations should be on preventing genuine harm, while allowing projects with few negative impacts to avoid unnecessary barriers to completion.

With the above in mind, we support the Action Alternative. We urge the County to consider the following guiding principles for siting and prioritizing low-carbon energy sources.

Streamline low-impact renewables

Renewable technologies like solar, wind, and battery storage have a small environmental footprint if zoned properly and sited appropriately. They are cost competitive and should form the backbone of the new energy economy. Solar, in particular, poses few major safety concerns and can be rapidly deployed, provided adequate grid connections exist, to generate clean, affordable energy. Identifying potential sites for utility-scale solar (including small to medium-sized projects), as well as encouraging the development of home rooftop solar, should be priorities in Skagit County.

Regulations affecting solar, battery, or wind projects should focus on ensuring projects are sited appropriately to avoid adversely impacting critical areas, vital wildlife habitat and significant cultural resources, while maintaining basic safety and health standards. Once these objectives are achieved, the goal should be a streamlined permitting process that avoids putting unnecessary barriers in the way of beneficial, common-sense projects. Developers should be able to have confidence that well-designed projects meeting these standards will be approved in a timely manner.

Avoid high-risk projects, polluting industries, and unproven technologies

Skagit County's strategy for developing non-fossil fuel energy sources should avoid risky technologies like nuclear, as well as highly polluting forms of "renewable" energy like forest biomass. To the first point: the nuclear industry and its promoters have launched a marketing offensive to convince policymakers and the public that "small modular reactors" (SMRs) are significantly safer, less costly, and less risky than conventional nuclear power. However, a close look at the technology shows it failing to live up to the hype. SMRs still produce waste; in fact, evidence suggests their cores are actually more likely to leak neutrons than conventional reactors, generating two to thirty times as much toxic waste per unit of energy. Existing SMRs in countries like China and Russia have taken longer to build and cost more than the initial, optimistic projections—and any new nuclear project in Washington State is sure to encounter public opposition that will at the very least delay construction.

Another technology to avoid is forest biomass, or energy generated from burning wood. Despite industry claims that their power plants run mainly on waste wood and forest industry byproducts, the major companies turning wood into pellets for energy generation in North America have been linked to deforestation and even the destruction of old-growth trees in the US South and British Columbia. Burning wood for energy emits CO₂, and

the lifecycle carbon footprint of forest biomass energy is similar to that of coal. In short, forest biomass projects would endanger our forests while doing nothing to combat climate change, and should be discouraged.

Renewable liquid fuels, such as biodiesel made from food industry waste or algae, present a more complex challenge. If developed responsibly and in a way that minimizes lifecycle carbon emissions, such fuels may indeed have a role to play in the emerging clean economy. However, their practical application is likely to always be limited given the difficulties of developing them at scale. Any focus on liquid renewable fuels should not be allowed to distract from the rapid deployment of more tested clean technologies like solar.

Ensure responsible siting for renewables

It is in everyone's interest that renewable technologies be deployed in ways that avoid adverse impacts on endangered species habitat, critical natural resources, shorelines, flood zones, and culturally important sites. Developing projects with these considerations in mind from the beginning helps avoid costly delays later, ultimately contributing to a smoother path to completion. The key to guaranteeing siting of renewable projects adequately addresses environmental and social justice concerns is to ensure major stakeholders—such as conservation organizations, agricultural interests, farmworkers, and tribal nations—are closely involved in the planning process early on.

A special emphasis on Indigenous tribes is warranted here. Tribes are sovereign nations, and as such should be engaged from the first stages of planning major renewable energy projects. In Eastern Washington, clean energy projects have run into costly and potentially avoidable delays because tribes like the Yakama were not meaningfully consulted until the late stages of the EIS process, by which point opportunities to dramatically shift the direction of a project are limited. Skagit County should seek to avoid similar problems by ensuring major renewable projects are sited with input from tribes occurring at the earliest possible time.

In summary

Taking a proactive approach to renewable energy development in Skagit County is a wise and forward-looking move that should help ease the way for deployment of technologies essential for the fight against climate change and to maintain national and regional competitiveness. The goal of this process should be to provide a smooth path to approval and completion for relatively low-impact projects, while avoiding risky and costly technologies, and ensuring meaningful consultation with tribes and other stakeholders.

The Sierra Club Mount Baker Group congratulates Skagit County for embarking on this project and urges that it be pursued with the above-outlined considerations at the forefront.

Sincerely,

Lisa Cohen

From: Marina King <marinakingcarpenter@gmail.com>
Sent: Monday, June 8, 2026 9:58 AM
To: PDS comments; Marina King
Subject: Energy Siting and Permitting EIS Scoping Comment

Dear Skagit County Commissioners and Energy Planners:

I am a Skagit County resident and I am urging a rigorous Environmental Impact Statement for the County's clean energy siting process. I strongly support solar energy and battery storage as the best foundation for our local clean energy future, and I urge the EIS to develop strong siting standards that protect prime farmland, salmon-bearing waters, and the visual character of our communities. These are resources we are blessed to possess and if they are compromised, they cannot be renewed.

I do NOT support including small modular nuclear reactors in the County's list of approved options. I urge the County to conduct an independent, unsparing analysis of the costs, radioactive waste burden, accident risks and loss of local regulatory control that would come with an SMR siting in the county. Our country deemed nuclear power too costly and risky in the 1980's. The technology hasn't advanced as far as how to deal with the waste stream. Why would Skagit County want to assume the financial burden of dealing with that, as well as the danger to our agricultural and environmental resources? No commercial SMR has been successfully licensed and built in the US, and the commercial record of cost overruns and project cancellations gives me serious concern. Skagit County's residents, agricultural lands, and Tribal treaty resources deserve full protection. I also encourage the County to expand the EIS scope to include wind energy facilities, which are proven, cost-competitive, and appropriate for Skagit County's geography.

Thank you for receiving my comment,

Marina King
3509 D Avenue
Unit #F3
Anacortes WA 98221
206-992-3775

From: Laurie Sherman <shermanpt@gmail.com>
Sent: Wednesday, June 10, 2026 3:45 PM
To: PDS comments
Subject: Energy Siting and Permitting EIS Scoping Comment

I am a resident of Skagit County, living in Anacortes and writing to support a thorough and detailed EIS for the county's clean energy siting process. This is our last chance to get this right! And its so important! I whole heartedly support solar and battery storage as the base for our local energy future. Please pick sites that protect farmland, salmon runs, tribes sacred lands and the visual character of our communities, as well as out of the 500yr flood plain! In Oregon I know there was a public private offering of placing public solar panels on private homes for a trade off. (when the panels generate more energy than the home used, the power gets sold back to the energy company and discounted from the homeowners bill)

RE nuclear reactors, I am opposed. There is no place to safely store the waste materials in the whole country so they would need to be stored on site in Skagit County. Nobody wants that waste in their backyard and neither do we! However Hydrogen to produce energy sounds interesting, but I know nothing about the risks surrounding it. It would be difficult to place proper "guardrails" around hydrogen sourced energy as its so new and relatively small use. Please see Tom Carpenter's submission to you, as his report is the most informed and detailed one Ive

read. I am wondering why we are not considering wind power? I know that huge facilities like the one on the Columbia are unlikely, but Ive read about smaller wind generating systems placed statigically in communities in Japan - so not as invasive and detrimental, to produce supplementary power- to offset the huge demands we have now as we go all electric.

Lastly re renewable fuels, Id like to see more detail in the scope of possibilities being considered. I invested in Farm Power 15 yrs ago, a project burning methane gas to produce energy. Our project, still running in Skagit County, was one of the first in the country and ran into trouble. We have since learned much from the original builds and the issues have been corrected. Methane Digesters are successful in CA and may be worth revisiting here in Skagit with our agricultural landscape, it is a good match.

thanks for your time reading my comment. I look forward to following the ongoing process to develop clean energy in our county.

Laurie Sherman
4596 Ginnett Rd
Anacortes, WA

From: DSBened <dsbened@frontier.com>
Sent: Wednesday, June 10, 2026 7:10 PM
To: PDS comments
Subject: Energy Siting and Permitting EIS Scoping Comment

Spam

We must ensure that "clean energy" and minimal eco-environmental damage is done for whatever projects are approved!

Respect Nixon's EPA & NEPA, and keep our state "Evergreen"!

Sincerely,

Derek Benedict
Lynnwood, WA

From: Angela Day <angmday@gmail.com>
Sent: Friday, June 12, 2026 8:46 AM
To: PDS comments
Subject: Energy Siting and Permitting EIS Scoping Comment
Attachments: Clean Energy Comments June 2026.pdf

Hello,

Attached please find my comments regarding the Energy Siting and Permitting Scoping EIS.

Thank you, Angela

Skagit County Clean Energy Siting and Permitting
Comments on Scope of Environmental Impact Statement (EIS)

June 12, 2026

Skagit County Planning and Development Services
Attn: Robby Eckroth, AIC
1800 Continental Place
Mount Vernon, WA 98273
Sent via e-mail to: pdscomments@co.skagit.wa.us

Dear Mr. Eckroth,

Thank you for reviewing public comments regarding the siting and permitting of clean energy sites. I support Skagit County's efforts to plan for electricity generation and storage in a way that is environmentally and economically sustainable.

I understand this step in the process is preparing for a programmatic Environmental Impact Statement (EIS) for planning and evaluation purposes. In addition, I recognize that the state Energy Facility Site Evaluation Council (EFSEC) plays a role in siting decisions and may preempt local authority in that decision-making process.

My comments are focused solely on Small Modular Nuclear Reactors (SMRs) as that is an area where I have some professional experience. I worked as a Senior Analyst with the Hanford Concerns Council – an organization dedicated to resolving whistleblower concerns at the Hanford Nuclear Site in southeastern Washington State. During my seven-year tenure with the organization, I became familiar with both defense and commercial nuclear facilities and how they operate.

Following my time with the Council, I conducted research at the Hanford Site, which was the basis for my PhD dissertation – *When the Whistle Didn't Blow: The Politics of Organizational Dissent at the Hanford Nuclear Site*. This work afforded me an opportunity to work with front-line workers, safety advocates, and regulators to better understand the risks of nuclear energy production and waste disposal.

Based on my past professional experience and knowledge of Skagit County gained in part by serving on the Planning Commission, I am deeply concerned about siting Small Modular Nuclear Reactors in this County. For purposes of the programmatic EIS, I have identified four areas of concern.

1. The Life Cycle of Nuclear Energy Production

I find it difficult to understand how nuclear power generation could be defined as “clean energy” based on the carbon and other impacts of the full life cycle of energy production. Small Modular Reactors (SMRs) generate power by splitting atoms, or fission. This is the same process used in traditional nuclear facilities but on a smaller in scale.

SMRs require uranium feedstock to fuel energy generation. Uranium ore must be mined and processed in order to create fuel rods. Uranium has historically been mined throughout the American West, with devastating health and environmental impacts. These burdens have been unduly born by Native Americans, particularly on the Navajo Nation.

More recently, the US nuclear industry imported an estimated 95-99% of uranium, primarily from China and Eurasia. In 2022, the Department of Energy announced a goal of increasing domestic uranium production, which has created a renaissance in mining in the American West.

The mining, processing, and transport of uranium is carbon intensive – not neutral. Further, the production of feedstock creates human and environmental impacts that last for generations. Please see the attached journal article for additional life cycle analysis of the carbon impacts of nuclear energy.

I recommend that the EIS evaluate the entire life cycle of energy production using SMRs.

The EIS should include the environmental and human health impacts of uranium mining, processing, and transportation including carbon emissions.

The EIS should not be limited to Skagit County when evaluating the potential environmental impacts and alternatives.

2. Releases during normal operations

Nuclear reactors including SMRs release tritium and other radionuclides during normal operations. These releases are both into the air and waterways and are regulated by the Nuclear Regulatory Commission (NRC). The level of acceptable exposures to routine releases remains an ongoing debate, and compliance should not be considered sufficiently protective or safe. The NRC has preemptive authority to regulate routine releases and would move the County further away from a goal of local control.

These routine releases could have real consequences for Skagit County’s agricultural products. These impacts are likely to be both actual and perceived, and could impact the

marketability of agricultural products. Agriculture is both a significant economic driver and source of identity in Skagit County.

The Skagit River is one of the last remaining American rivers to host all five species of salmon. Restoring and sustaining salmon runs is an important priority to the County and Tribes. The significance of treaty rights and cultural identity tied to the health of salmon runs cannot be overstated, and the EIS must evaluate the potential impacts within that context.

Skagit County's EIS should evaluate potential impacts to water usage, and routine releases into the air and waterways.

This should include impacts to human health and the environment, including salmon habitat.

The EIS should also consider the perceived safety and quality of the seed and other agricultural crops produced in Skagit County for national and international markets.

3. Emergency and Accidental Releases

The NRC requires designation of Emergency Planning Zones (EPZs) which has implications for surrounding land uses and population centers.

Traditional reactors required a 10-mile zone for emergency planning, while the zone for Small Modular Reactors is based on the characteristics of each reactor. While touted as safer due to their smaller size, SMRs lack the additional containment structures of traditional facilities. Even if compliant with the required EPZ set by the NRC, Skagit county will need to consider the need for protective EPZs.

Consideration should also be given to the potential impacts to agricultural production and the national and global food supply. According to WSU Extension, "Skagit County is a major producer of cabbage, table beet, and spinach seed for the world. There are six vegetable seed companies in the county, most of which market products worldwide."

Skagit County's programmatic EIS should consider the need to allocate Emergency Planning Zones.

The EIS should also evaluate potential impacts of emergency releases on the environment, human health, and agricultural production, including the global food supply.

4. On site radioactive waste storage

Every fission reaction generates spent fuel rods, so it is important to consider the environmental and carbon impacts of waste storage, removal, and remediation.

In 1982, Congress designated Yucca Mountain in Nevada as a permanent repository site for nuclear waste. Development of Yucca Mountain was cancelled in 2010 and there is currently no national repository.

Because there is no national repository, an estimated 90,000 metric tons of spent fuel rods are stored “temporarily” at commercial nuclear generating sites. As of 2020, there were 23 stranded sites (29% of generating sites). This means power generation has been discontinued but the waste remains on these sites with nowhere to go.

In the event that a future national repository is constructed, spent fuel would have to be stabilized and transported to a single site. This transportation would pose risks to the public and emit carbon as part of the transportation process. Left in place, local governments will be burdened with securing and storing waste that remains radioactive for tens of thousands of years.

Skagit County’s programmatic EIS should consider the potential environmental impacts of on-site stored nuclear waste during operations and even after decommissioning.

Consider the economic impacts to taxpayers and rate-payers in Skagit County

In addition to my concerns and suggestions for a programmatic EIS, I would also urge the County to consider the potential economic impacts of SMRs for taxpayers and rate-payers.

There are currently no operating SMRs in the US. In November of 2023, the most advanced SMR project was cancelled. It was the first and only NRC approved SMR design. The project, located in Idaho Falls, Idaho, was a collaboration of NuScale and a Utah based utility and was cancelled due to escalating costs and subsequent lack of utility subscribers.

The economic viability of SMRs and the potential impacts on rate-payers and taxpayers have proven to be challenging. This should be an important consideration for Skagit County in determining whether SMRs should be included in a programmatic EIS for clean energy siting and permitting.

I urge the County to remove SMRs from the list of clean energy types to be evaluated as part of the programmatic EIS. Further, I encourage the County to convey public comments and concerns about SMRs to the Energy Facility Site Evaluation Council.

Thank you.

Sincerely,

A handwritten signature in cursive script that reads "Angela Day".

Angela Day
16901 Snee Oosh Rd.
La Conner, WA 98257
425-210-2064
angmday@gmail.com

NUCLEAR POWER & CARBON NEUTRALITY

A Critical Assessment of Hidden Emissions, Fuel Cycle Burdens, and Unresolved Waste

May 2026

I. The Carbon-Neutral Myth

Nuclear power is widely promoted as a low-carbon or even carbon-neutral energy source. This framing is misleading. While the reactor itself does not combust fossil fuels, nuclear electricity is the product of an extended industrial chain that relies heavily on fossil fuels at nearly every stage — from uranium mining to waste management. A rigorous, life-cycle analysis reveals that nuclear power carries a substantial carbon footprint that is routinely omitted from industry claims.

Peer-reviewed life-cycle assessments (LCAs) of nuclear energy report a wide range of carbon intensity estimates — from roughly 4 grams of CO₂-equivalent per kilowatt-hour (g CO₂e/kWh) at the low end to over 180 g CO₂e/kWh at the high end, depending on assumptions about ore grade, enrichment technology, and plant construction. The industry favors the low-end figures. Independent and government-affiliated researchers find median values of 60–80 g CO₂e/kWh — comparable to some natural gas peaking plants, and far above wind or solar, which typically register under 15 g CO₂e/kWh.

"Carbon-neutral" is an industry claim, not a scientific consensus. No full life-cycle accounting of nuclear power — including fuel production, construction, decommissioning, and waste isolation — yields a zero-emission result.

II. The Uranium Fuel Cycle: A Fossil-Fuel-Dependent Chain

Mining and Milling

Uranium mining is an energy-intensive, land-disturbing industrial activity. Open-pit and underground mines consume large quantities of diesel fuel for extraction and transportation. As high-grade ore deposits are depleted, miners must process greater volumes of rock to yield the same amount of uranium — dramatically increasing per-kilogram energy and emissions intensity. Mill tailings, the radioactive residue left after uranium is extracted, cover millions of acres worldwide and continue to emit radon gas and generate contaminated runoff essentially in perpetuity.

Conversion and Enrichment

Natural uranium must be chemically converted to uranium hexafluoride (UF₆) and then enriched — concentrating the fissile U-235 isotope from its natural 0.7% to approximately 3–5% for reactor fuel. Historically, the dominant enrichment technology in the United States was gaseous diffusion, an extraordinarily electricity-intensive process. The Paducah, Kentucky gaseous diffusion plant consumed more electricity than the entire city of Nashville and was powered almost entirely by coal-fired generation. Although modern gas centrifuge enrichment is far more efficient, enrichment remains among the most energy-intensive steps in the fuel cycle, and the carbon intensity of the electricity used directly determines the emissions burden of this stage.

Fuel Fabrication, Transportation, and Reactor Operations

Fabricating uranium into fuel assemblies requires further industrial processing. Transportation of radioactive materials throughout the fuel cycle — from mine to mill, mill to conversion facility, conversion to enrichment, enrichment to fabrication, and fabrication to reactor — involves significant fossil-fuel consumption. Reactor construction itself is a massive undertaking: concrete

and steel production, the two largest material inputs, are among the most carbon-intensive industries on Earth. A single large reactor may require hundreds of thousands of cubic meters of concrete and tens of thousands of tons of steel.

Decommissioning

At end of life, reactors must be decommissioned — a decades-long, energy-consuming process of dismantling radiologically contaminated structures and disposing of the resulting waste. Decommissioning costs and emissions are chronically underestimated and often excluded entirely from industry LCA estimates.

III. Radioactive Waste: An Unresolved and Unquantified Liability

The nuclear industry's most fundamental unresolved problem is not carbon — it is the permanent, safe isolation of high-level radioactive waste (HLW). Every operating reactor generates spent nuclear fuel containing intensely radioactive isotopes that remain dangerous for hundreds of thousands of years. In the United States alone, more than 90,000 metric tons of spent fuel currently sit in temporary storage at reactor sites, with no licensed permanent repository in operation.

The Repository Problem

The United States has been attempting to site a permanent HLW repository since the 1982 Nuclear Waste Policy Act. The Yucca Mountain project in Nevada was studied for decades and billions of dollars were spent, only for the project to be effectively abandoned following state and political opposition. No replacement site has advanced. As of 2026, the U.S. has no operating deep geological repository for spent fuel or HLW — a gap that represents one of the most consequential failures of energy policy in the nation's history.

Other nuclear nations are further along. Finland's Onkalo repository, the world's first licensed permanent repository for spent fuel, is under construction. Sweden has approved a similar facility. But even these projects are based on safety cases that project containment over 100,000 years — a timescale that strains human institutional capacity and geological certainty alike.

Carbon Costs of Waste Management Are Unknown

The carbon emissions associated with permanent radioactive waste disposal are, by definition, largely unknown — because permanent disposal has not yet been accomplished. Building a deep geological repository requires mining, concrete, steel, ventilation, transportation infrastructure, and decades of operational energy consumption. Monitoring and institutional control must continue for timescales that dwarf all of recorded human civilization. The energy and emissions associated with these activities are rarely — if ever — incorporated into industry life-cycle estimates for nuclear power.

The carbon accounting for nuclear waste management is incomplete because the waste has not been managed. Including even conservative estimates of repository construction and operation would substantially increase nuclear power's life-cycle emissions profile.

Hanford and Legacy Waste

At sites like the Hanford Site in Washington State, the legacy of weapons-program nuclear waste illustrates the scale of the problem. Hanford stores approximately 56 million gallons of radioactive and chemically hazardous waste in underground tanks — some of which are known to leak. Decades of cleanup effort have produced only partial progress, at a cost now estimated to exceed \$640 billion over the life of the cleanup program. The energy consumed by Hanford's ongoing

remediation operations — and the carbon emitted — is a direct legacy cost of the nuclear enterprise, one that is never factored into the emissions calculus of nuclear electricity.

IV. Conclusion: Transparency Requires Full Accounting

Nuclear power is not carbon-neutral. It is a low-carbon source in a narrow, reactor-only accounting frame — and a substantially higher-carbon source when the full fuel cycle is honestly assessed. The unknowns surrounding permanent waste disposal make any final accounting impossible at this stage. Policymakers and the public deserve energy comparisons that are based on complete, transparent life-cycle data — not on industry-favorable assumptions that exclude the most expensive and uncertain parts of the nuclear enterprise.

- Life-cycle emissions for nuclear power are 4–8 times higher than wind or solar when full fuel-cycle analysis is applied.
- Uranium enrichment historically depended on coal-fired electricity; this legacy carbon is rarely acknowledged.
- No country has yet demonstrated permanent, licensed disposal of high-level nuclear waste at scale.
- Waste isolation costs — financial and energetic — extending over geological timescales are excluded from standard industry LCA.
- Legacy cleanup sites like Hanford represent ongoing, multi-generational carbon and financial liabilities never attributed to nuclear power's emissions profile.

Sources: IPCC AR6 Working Group III (2022); Benjamin K. Sovacool, "Valuing the Greenhouse Gas Emissions from Nuclear Power" (2008); World Nuclear Waste Report (2019); U.S. DOE Office of Environmental Management; U.S. Nuclear Waste Technical Review Board annual reports.

From: Peg Boettcher <pegrib@gmail.com>
Sent: Saturday, June 13, 2026 12:17 PM
To: PDS comments
Subject: Energy Siting and Permitting EIS Scoping Comment

I live in Skagit County. I'm writing to support a rigorous Environmental Impact Statement for the County's clean energy siting process. Our 30-household cohousing community installed solar panels on the roof of our block of flats, has installed them on the roofs of most of our townhomes, and is planning to add more to the roof of our common house. I strongly support solar energy and battery storage as the foundation of our local clean energy future, and I urge the EIS to develop strong siting standards that protect prime farmland, salmon-bearing waters, and the visual character of our communities.

Small modular nuclear reactors are an awful fit for the county, and I'm shocked that they are even being considered. I arrived in Washington State at the end of the Washington Public Power Supply System fiasco, and was stunned at the billions of dollars wasted. We need an independent, unsparing analysis of the costs, radioactive waste burdens, accident risks, and loss of local regulatory control that come with SMR siting. No commercial SMR has been successfully licensed and built in the United States, and the commercial record of cost overruns and project cancellations gives me serious concern. Skagit County's residents, agricultural lands, and Tribal treaty resources deserve full protection. I also encourage the County to expand the EIS scope to include wind energy facilities, which are proven, cost-competitive, and appropriate for Skagit County's geography.

--

Best,
Margaret (Peg) Boettcher
3509 D Ave #A205, Anacortes, WA 98221

From: Betty Carteret <sydster2@outlook.com>
Sent: Sunday, June 14, 2026 4:20 PM
To: PDS comments
Cc: Betty Carteret
Subject: "Energy Siting and Permitting EIS Scoping Comment"
Attachments: Skagit County Clean Energy EIS Comments 6-14-2026 Final signed.pdf

Attached find my scoping comments for the Clean Energy Siting and Permitting EIS. I am available to answer any questions that you may have.

Betty Carteret
14786 Entner Lane
Anacortes, WA 98221
sydster2@outlook.com
(360) 299-8553
(360) 202-0316 (cell)

To: Skagit County Planning and Development Services

Re: Clean Energy Siting and Permitting Environment Impact Statement

Date: June 14, 2026

Scoping Comments Submitted by Betty Carteret, 14786 Entner Lane, Anacortes, WA 98221

Introduction & General Comments

I am a resident of Skagit County, Washington and am involved in several environmentally focused volunteer nonprofit programs that focus primarily on environmental stewardship and climate change impacts and solutions. I am currently also working on the Skagit County Climate Impacts Advisory Committee and will be their representative to the County's Clean Energy Advisory Group.

I am submitting these comments as an individual resident of the county, not representing those groups, who is very interested in seeing Skagit County actively address the causes and impacts of climate change and in optimizing clean energy siting and permitting as an important element of fulfilling commitments in the 2025 Comprehensive Plan update to reduce greenhouse gas emissions and build a resilient energy future for our community. I believe that simplifying and streamlining our siting and permitting processes from a programmatic perspective will advance development of clean energy faster and attract more investment in clean energy development, which is critical to the future resilience of Skagit County.

I strongly support developing clean energy projects that are appropriately sited and approved based on valid science and technical information, up-to-date codes and permitting requirements, that are consistent with community values, the latest national and state guidance, and public safety and environmental protection standards. In addition, ensuring that project siting does not inequitably impact overburdened communities, impinge on tribal sovereignty, or negatively impact specially designated natural resource lands in the county.

I believe that the four options selected for review are appropriate to consider with additions noted in the text below, however, the County should clarify that only fusion power facilities (reactors) are intended to be part of the EIS scope and not fission reactors. This was not clear in the initial call for comments. I do not support siting of fission reactors in Skagit County for a variety of reasons that have been extensively spelled out in comments previously submitted by Tom Carpenter. Issues with impacts to water resources for cooling or using other types of cooling technology such as molten sodium can introduce their own serious safety concerns. Also, there is not an approved national facility permitted for disposal of spent nuclear fuel from fission reactors. Therefore, nuclear power plants are forced to store spent fuel in casks onsite, which introduces serious safety and security issues that need to be considered. I encourage the County to clarify the scope

to clearly identify that energy facilities using nuclear fission are not being considered as part of the scope, and their permitting would fall within the scope of EFSEC not county jurisdiction.

Currently Whatcom County PUD is investigating building a geothermal power plant in the eastern part of the county near Mt. Baker. There do not appear to be strong geothermal resources in our county based on looking at existing geothermal plant technologies. However, I believe the County should include geothermal systems in the scope of the EIS. New technologies and techniques, such as Enhanced Geothermal Systems, hydraulic stimulation and closed-loop flow, make it possible to use dry geothermal heat or less productive geothermal resources, which could make application in Skagit more likely as these new technologies mature and are proven. Since geothermal resources south of Mt. Baker are already being considered for a more traditional geothermal plant in Whatcom County, it might be a missed opportunity not to consider geothermal energy as part of this EIS investigation. Geothermal energy for non-power applications such as district heating or for commercial processes requiring heat is another application that depending on the scale may require County review and permitting. Since the County is considering fusion power, which is also an as-yet proven technology at-scale, I would suggest the County expand the scope to look at advance geothermal technology as another option, even though it is still in the development stage.

I do not think that large scale wind energy is really a viable option in Skagit County for commercial or industrial power production. I agree with the decision to not include it in the EIS scope.

Comments on Energy Sources Identified for Study

Solar Energy Facilities

Small-scale solar facilities can include distributed solar facilities, behind the meter solar facilities, and rooftop solar systems. These facilities absorb energy from the sun. Photovoltaic (PV) solar systems consist of absorbing solar panels, while older technologies include concentrating or reflecting solar energy. Small-scale solar facilities differ from large scale PV systems by both the scale of the energy generated and where the energy generated may go. Land availability in Skagit County for Solar Energy may be limited, especially since conversion of Agricultural Natural Resource Lands is prohibited. Alternatively, Solar Energy can come in the form of Distributed Energy Resources (DER), which involve rooftop solar panels and batteries on existing development, which does not result in the conversion of Natural Resource Lands. DERs offer opportunity for utilities and energy users to work together and innovate to help meet rising energy demand.

I fully support including solar energy production facilities as an appropriate scope to evaluate for siting and permitting in Skagit County. This technology is very mature, widely used, has low impact, and therefore any potential impacts or mitigating actions for implementing the technology should be evaluated. The **EIS Determination of Significance identifies solar energy facilities as**

included in the scope of the EIS but the County website and other documents refer only to to small-scale solar energy systems. The EIS scope should make it clear what size of systems are included. The state define utility scale as noted below and these systems can be permitted in several ways, including state review and permitting through the Energy Facility Siting and Evaluation Council (EFSEC), through a coordinated process where the State and local jurisdictions work together, or through local jurisdiction review and permitting.

*While developers can opt-in at any size, "utility-scale" solar projects in Washington commonly range from **160 MW** to **500 MW** of capacity, requiring anywhere from 1,000 to over 2,000 acres of land. For reference, 1 megawatt (MW) of ground-mounted solar generally requires about 4 to 5 acres of land. [1, 2, 3, 4, 5]*

It should be made clear in the EIS what size/scale of solar PV production facilities are being evaluated and included in the EIS. If there are any sizes excluded or not allowed in Skagit County, or that would be deferred to evaluation under the jurisdiction of EFSEC and is not included in this EIS scope, this should be clearly defined in the EIS documentation.

Although Skagit County has many small residential and a few community solar installations, there are no larger commercial scale installations and the siting and permitting of these larger facilities should be investigated to determine any potential environmental impacts and where it is appropriate to locate them, if such requests could be addressed to the County for permitting. Large size areas that are flat and would be appropriate for siting of large or "utility scale" PV production facilities would likely conflict with designation of land as Natural Resources Agricultural Lands and would most likely not be permitted for siting on that land. This issue should be discussed further in the EIS.

There is one caveat to my comment that my support is specific to tradition PV systems that are rack mounted in arrays. Concentrated solar power using an inward facing circular array that focuses a high intensity beam of light on a target mounted in a tower to concentrate heat in a medium such as molten sodium or salt, which stores heat for generation or later use does not seem an appropriate solar design for Skagit County. I assume this type of system is not and should not be included in the scope of this EIS. If this were to be included in the scope of the EIS, Concentrated Solar Power (CSP) would need a more rigorous review of siting and safety issues related to the technology. The focused beams and high temperature fluids used to store the energy, could pose significant risks that will need to be evaluated. I suggest CSP power plants be excluded from siting in Skagit County and my recommendations and comments excludes CSP as an alternative being evaluated.

The WA Department of Ecology and Commerce have previously and are currently evaluating and provide guidance related to clean energy systems and I recommend that this work by the state be reviewed in developing this County-wide Programmatic EIS.

In June 2025, we [Ecology] released final [programmatic environmental impact statements](#) for . . . , [solar](#) and . . . Our broad, statewide environmental studies identify potential significant adverse environmental impacts from these three types of clean energy facilities. [1]

Energy projections across western Washington, including Skagit County, suggest that in just a few years we could be facing significant energy shortages – brownouts or blackouts, which within a decade could become multi-day events if mitigating actions are not taken to improve resilience in our electrical supply. Solar power is a very good option for helping to mitigate this issue, especially when paired with Battery Energy Storage Systems that can store the intermittently generated power when it exceeds demands and release it when needed at peak demand times. Solar Photovoltaic (PV) arrays should be a preferred alternative for providing clean power as it is currently the lowest cost per watt installed of any power production technology. The primary alternative to building clean energy in Skagit that is being pursued by the local utility, PSE, is to build more fossil fuel (gas) powered peaker plants to meet peak demand thus increasing greenhouse gas emissions and public health impacts.

Specific considerations that should be assessed in the EIS include:

Solar energy facilities have fewer potential environmental impact elements that need to be considered than other technologies. Those that I suggest the County focus on are listed below.

- Biological resources (species and habitats) – the EIS should investigate how the siting of a solar facility could impact existing habitat areas or impact migratory behavior. Skagit County is located within important migratory bird passage (Pacific Flyway), which suggests that consideration of how reflection of light from such a facility could impact bird migration. Other ground species should also be considered to determine how siting might impact areas with established populations of wildlife that are valued by the community or protected by law. Consider and identify mitigating options for impacts that are identified.
- Environmental health and safety/Visual quality – evaluate how reflected light might impact surrounding residential or commercial areas, as well as roadways or scenic corridors that might be affected by glare from the panels. In such cases options for screening or landscaping that could mitigate the impact should be identified.
- Land Use/Public Services & utilities – Ground-mounted photovoltaic systems are usually located on relatively flat open areas away from forested areas where shading is an issue. This would suggest that areas in the western half of the County are most suited for such systems. The county should also consider how to best site facilities to integrate them with transmission infrastructure and grid interconnection. Local transmission and

interconnection within the scope of the County's jurisdiction needs to be evaluated in determining appropriate siting and permitting.

- Land Use – Agricultural Land Compatibility – Protection of farmland is a strong community value and is also regulated in Skagit County under the Growth Management Act. Siting of solar facilities need to consider locations that do not impact productive Natural Resource Agricultural Lands that are covered in the Comprehensive plan and have restrictions on uses other than agriculture. However, Skagit farmers are facing economic challenges with their farm businesses that could potentially benefit from incorporation of compatible agrivoltaics that could be integrated into a dual-use strategy that maintains the agricultural product while providing an additional source of revenue or additional power to cut costs. This would not be likely to fit most of the agricultural land in the County as annual crops are rotated and large equipment is generally used on the land. Properties where elevated solar arrays could be installed that allow grazing or crops below should be identified and appropriate siting and permitting requirements established if viable.
- Land use – Limiting erosion and collective stormwater should be given consideration to investigate environmental impacts from water flow off panels that could lead to soil erosion and create stormwater flows that could impact downstream water resources. This could potentially be an issue with increasing turbidity in rivers or streams that could impact water quality or fish migration. Actions such as requiring vegetation, or in-ground mitigation such as swales or other methods to mitigate soil erosion and stormwater should be considered.
- Water and hydrology – some areas in Skagit County are designated in being in flood plains and these areas are growing and becoming more impacted as climate change drives more fall/winter precipitation and is increasing the risk of riverine flooding as well as storm surge causing high risk of coastal flooding. FEMA flood designations where high river flows are expected now or in the future due to climate change impacts, should be avoided in siting of any clean energy systems. Siting of solar installations must consider these factors and mitigating actions to reduce the risk such as hardening support structures or raising structures could be required where flood risk is identified. Rising sea levels are driving saltwater intrusion into some areas currently used for agriculture, making them no longer productive for farming. Areas such as this could be evaluated as potential sites for solar installations where the land is no longer attractive for traditional uses, however the increasing risk of coastal flooding may negate the value of such lands.

- Decommissioning – provisions for decommissioning and associated costs for end-of-life for large solar installations need to be addressed in the initial siting and permitting of projects. The County should ensure that there is a way to make sure this will be planned and will not be impacted by changes in owners or in the case of owners going out of business. Provisions for dismantlement, recycling, or repurposing these facilities should be considered in advance of the permitting of construction.
- Energy – Distributed Energy Resources (DERs) – Skagit County has an abundance of large rooftops on retail businesses, warehouses, commercial processing facilities, and other buildings with significant square footage available to install rooftop solar panels. This type of siting does not compete with other land uses or habitat areas, would not have the same issues with glare (except for migratory birds), and could offer a significant clean energy power resource, especially when paired with commercial scale battery energy storage systems to store power for facility use or provide power to the grid during peak demand periods, thereby providing more resilience to our county electrical power supplies. I consider this a preferred alternative as it has the lowest potential impacts and is a readily available area suitable for siting extensive solar resources in a distributed manner.
- The County should encourage our utility, Puget Sound Energy, to incentivize this type of development to the level that could really benefit our local community. The County could also investigate this option for solar installations using grant money from Department of Commerce provided by the Climate Commitment Act, as part of the potential expansion of solar here. Distributed solar + battery installations could be aggregated to serve as a Virtual Power Plant (VPP) to respond to peak demand and mitigate power outages. Skagit County could also look at working with area economic development groups to encourage targeted energy businesses that invest in this type of resource to locate in Skagit County. Ensuring permitting and code requirements and reviews are streamlined and timely could make this a more attractive option for businesses and increase clean energy investment. This type of investment can also be an economic boost to the area’s economy and job market.

Battery Energy Storage Systems (BESS)

Some energy facilities, such as solar and wind, cannot generate electricity constantly. Additionally, electrical grids do not always need energy at the same time the renewable or intermittent energy is generated. Battery energy storage facilities can include battery energy storage systems (BESS) and battery storage block systems. Battery storage facilities are a technology which can store energy for later use. These facilities can be implemented on a large scale for utility purposes or on a smaller scale for residential and commercial use.

BESS technology is now considered the key technology available today for mitigating near-term power shortages as electricity demand grows. Our aging grid infrastructure cannot be upgraded fast enough to meet growing energy demand at the speed it is increasing. BESS is being used worldwide and is a mature technology that is safe and proven through extensive testing and large operating installations worldwide.

Early systems, like the Moss Landing facility, did not meet current safety standards nor were there UL listing or comply with NFPA codes for their safety and performance. This particular facility, which experienced a thermal runaway fire, was improperly designed and built. This fire received extensive publicity and is often used as a compelling example by opponents, such as the Stewards of Skagit, but is not relevant to today's systems or safety protocols. Public education on the state of the technology is critical to countering misinformation about BESS that is leading to public skepticism and opposition.

The US EIA statistics on BESS installations in the U.S. are a testimony to the acceptance of this technology as mature and ready for industrial scale deployment. [*US EIA: Developers plan to add a record 24.3 GW \(equivalent to ~70 GWh\) of new utility-scale Battery Energy Storage System \(BESS\) capacity to the U.S. grid in 2026.*](#) This is a clear example of why these systems should be considered mature and safe if properly sited, permitted, and constructed.

Pacific Northwest National Laboratory [Grid Launchpad Facility](#) a U.S. Department center of excellence on energy storage systems, recently hosted an Energy Storage Siting and Permitting workshop that I attended. This workshop provided a wealth of up-to-date information on BESS technology, siting, grid interconnections, safety, and many other aspects. Materials from this workshop are publicly available including a set of detailed fact sheets on BESS. [**You can access all of these materials on the PNNL program website here.**](#) The fact sheets below can be used in evaluating the siting and permitting of BESS technology in Skagit County.

The fact sheets linked below provide a summary of key BESS information as well as references to other technical, code, and safety organizations that provide underwriting, safety requirements, and detailed information for organizations and facilities installing BESS. These resources can provide helpful information in evaluating environmental, health and safety as related to various scale developments of BESS technology in Skagit County. I encourage Skagit County to use the PNNL program and staff as a key resource in preparing this section of the EIS.

PNNL Energy Storage Factsheets

- [Local Community Engagement for Energy Storage Developers](#)
- [Energy Storage Fundamentals](#)
- [Local Siting and Permitting for Energy Storage](#)
- [Benefits of Energy Storage](#)
- [Battery Safety](#)

- [End of Life Considerations for Battery Energy Storage Systems](#)
- [Microgrids](#)
- [Project with Battery Energy Storage Systems](#)
- [Effective Participation in Energy Storage Siting Proceedings](#)
- [Technological Progress in Battery Energy Storage Systems](#)

Figure 2, copied from the PNNL Battery Safety fact sheet, summarizes the governing codes and standards for BESS systems.

Municipal Research and Services Center (MRSC) provides additional resources related to BESS that should be used as a resource in developing the BESS section of the EIS including this [NFPA BESS Safety Fact Sheet](#). They offer a two-part blog with linked resources – [Part 1](#) and [Part 2](#).

With these facts in mind, the County should evaluate permitting and siting of BESS systems keeping in mind that it is much like other energy infrastructure systems and projects and can be built near other land uses, including homes and businesses with appropriate land use considerations and offsets. Research shows that emissions from BESS fires are like those from an ordinary house fire where toxic materials are burned releasing gases. The State provides training to local firefighters related to specifics of responding to such an event and has already provided one session in Skagit County.

Since the subject of BESS installations can cause undue worry to residents in areas where systems are proposed, it is recommended that a local zoning ordinance be developed that guides installations. The ordinance should be based on factual data but also take into consideration local needs and incorporate best practices into local regulations. Public comment will be included in the development of such an ordinance ensuring community participation and support a better understanding of BESS technology. A well-written ordinance can avoid unnecessary uncertainty in the development and planning process and ensure projects are built in a manner consistent with local values, minimize risks, and provide maximum benefit to the community. Other counties in Washington have been working on ordinance and code documents on BESS and should be evaluated as a starting point for developing the EIS and later Skagit specific documents.

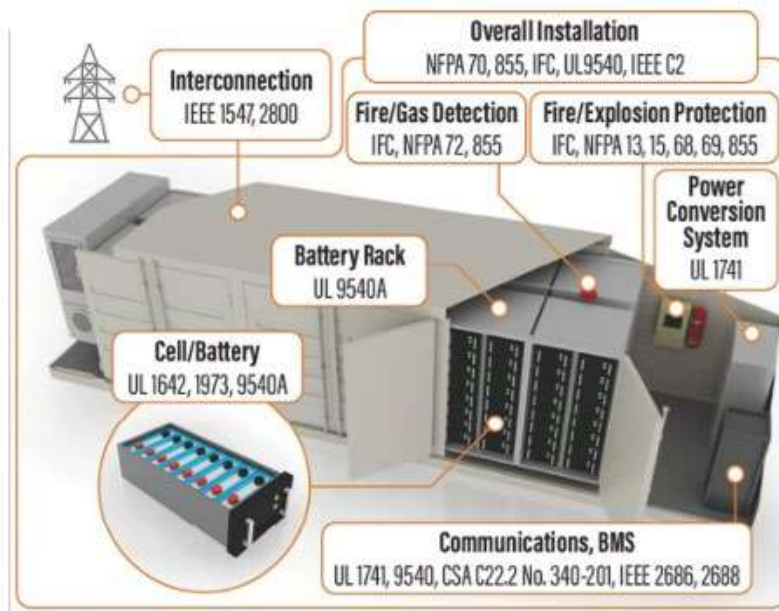


Figure 2. Key codes and standards for battery energy storage systems (BESS).

Specific considerations that should be assessed in the EIS include:

Size of systems being proposed – the county should evaluate environmental and other impacts with respect to the size of the system being proposed. MSRC provides the following categories in their guidance and suggests a regulatory framework based on size.

1. Tier 1: Residential & Small Commercial

- *Capacity: Up to 600 kWh [1, 2]*
- *Typical Sizes:*
 - *Residential: 10 kWh – 20 kWh (e.g., home backups)*
 - *Small Business: 20 kWh – 250 kWh (e.g., peak shaving) [1, 2, 3, 4, 5]*
- *Regulations: Lightest regulatory burden. Often permitted as-of-right or accessory uses in nearly all zoning districts, though subject to standard building and fire codes. [1, 2]*

2. Tier 2: Medium to Large Commercial & Industrial (C&I)

- *Capacity: 600 kWh to 5 MWh*
- *Typical Sizes: Corporate facilities, EV fast-charging stations, and light manufacturing.*
- *Regulations: Requires special use permits, site plan reviews, and strict compliance with fire safety codes (such as [NFPA 855](#) mandates for testing and suppression). Often restricted to designated business or industrial zones. [1, 2, 3, 4]*

3. Tier 3: Utility-Scale & Grid Storage

- *Capacity: Over 5 MWh (Typically rated in MW for power output) [1, 2, 3]*
- *Typical Sizes:*
 - *Small: 5 MW – 20 MW (Localized distribution substations)*
 - *Medium: 20 MW – 100 MW (Transmission congestion)*
 - *Large & Mega: 100 MW – 500 MW+ (Regional hubs, solar/wind firming) [1]*
- *Regulations: Front-of-the-meter utility infrastructure. Requires comprehensive environmental impact studies, grid interconnection approvals, and highly specialized land zoning (usually limited to heavy industrial or agricultural zones). [1, 2, 3, 4, 5]*

- **Biological resources (species and habitats)** – how the siting of a BESS facility could impact existing habitat areas. This might include assessing the impact of lighting or noise in areas that could impact wildlife habitats. Habitat disruptions could be mitigated by siting that excludes critical areas or areas with other special natural resources designations.
- **Water and Hydrology** – BESS units are largely based on dry cell technology, so the risk of toxic liquid spills are not a concern. Modern BESS system designs generally include the provision to capture any runoff from fire suppression into a containment structure to

prevent spills into the environment. However, the distance and grade of the land relative to critical natural areas need to be considered in determining appropriate zoning.

- Land Use/Public Services & utilities – Industrial scale BESS systems intended as grid level resources need to be sited in proximity to appropriate transmission infrastructure such as substations. Zoning information related to location of interconnection resources should be evaluated in regulations specific to Skagit County depending on size of the systems. Local transmission and interconnection within the scope of the County’s jurisdiction needs to be evaluated in determining appropriate siting and permitting.
- Environmental health and safety/Visual quality – Health and safety should be reviewed in the context of information cited above. Fire and safety code information is readily available as well as provisions for training local firefighters and this should be reflected in the EIS. Concerns about property value related to a BESS project constructed in an area should be treated as any other industrial type of installation. There are easily implementable mitigating measures that can be used to screen or landscape the area such that it should not impact property values, transit corridors or scenic byways. These systems are like other energy infrastructure projects such as substations and should not require any different type of permitting or code requirements.
- Land Use – Agricultural Land Compatibility – BESS like any other land use application would not be considered appropriate in Natural Resources Agricultural Land zones unless systems are small and used to provide power specifically for the farming operation and do not remove productive land from agricultural use. That said, impacts of climate change such as sea level rise, drought, and flooding may be impacting the productivity of some current agricultural lands that could make them more attractive for this type of project and could provide a source of revenue to farmers who are seeing economic challenges in Skagit County due to crop prices, fertilizer cost and other factors. This should be taken into consideration in the evaluation and future development of regulations.
- Energy – Distributed Energy Resources (DERs) – Skagit County has an abundance of large rooftops on retail businesses, warehouses, commercial processing facilities, and other buildings with significant square footage available to install rooftop solar panels. When paired with commercial scale BESS systems can provide stored power for facility use or provide power to the grid during peak demand periods, thereby providing more resilience to our county electrical power supplies. Pursuing commercial scale systems in conjunction with zoning that allows large commercial or industrial facilities should be considered a preferred alternative as it has the lowest potential impacts and is a readily available area

that would not conflict with agricultural, scenic, or residential neighborhoods unless those type of structures already exist there.

- Environmental Justice – siting decisions should be distributed equitably across the county without concentrating industrial infrastructure largely in overburdened communities.
- Decommissioning – provisions for decommissioning and associated costs for end-of-life for BESS installations need to be addressed in the initial siting and permitting of projects. The County should ensure that there is a way to make sure this will be planned in advance and will not be impacts by changes in owners or in the case of owners going out of business. Provisions for dismantlement, recycling, or repurposing these facilities should be considered in advance of the permitting of construction.

Fusion Energy Production Facilities – Fusion Reactors

Small nuclear facilities can include Small Modular Reactor (SMR) facilities and other advanced nuclear reactors. Nuclear facilities that produce energy through nuclear fission must go through EFSEC permitting, regardless of facility size. Skagit County can create a permitting process for nuclear facilities that produce energy through nuclear fusion. SMR facilities are smaller than conventional nuclear power facilities and are modular, meaning they can be factory assembled and transported for installation. Microreactors have even smaller footprints than SMRs and can serve as a backup power supply in emergency situations or replace power generators that are often fueled by diesel, for example, in rural communities or remote businesses.

NOTE: According to County Planning officials, in the context of this EIS, it is assumed that the term Small Modular Reactors (SMRs) applies only to fusion powered reactors and not fission nuclear reactors. However, as noted in the online information linked below, the term SMR refers specifically to fission reactors and does not include fusion reactors that can be referred to as “Compact Fusion Reactors” or “Modular Fusion Reactors”. This needs to be corrected and clearly identified in the scope of the EIS. The County should remove the reference to SMRs and use other terminology such as fusion reactors.

By explicit definition from global nuclear bodies like the International Atomic Energy Agency (IAEA) and the World Nuclear Association, SMRs strictly refer to advanced nuclear fission reactors. Fission involves splitting heavy atoms like uranium, whereas fusion combines light atoms like hydrogen. [1, 2, 3, 4, 5]

There are no existing operating fusion reactor power plants or smaller-scale proof of concept facilities. However, the world's first fusion power production plant is being constructed by Helion Energy in partnership with Microsoft to power a collocated data center.

Since there are no operating or even demonstration scale fusion plants in existence, I am providing comments based on information that was gathered in researching the Helion Energy Orion plant in Malaga, WA (Chelan County), which is the first proposed full-scale fusion plant permitted in the world and located in Washington State. I believe this information is a good starting point for evaluating the potential of locating a fusion reactor power facility in Skagit County.

The environment in Skagit County is substantially different from Chelan County and those differences need to be considered. Several factors that should receive special attention include land use, as there is much less viable land for constructing such a facility in Skagit County than in Chelan County. Also, the priority of large land tracts used as Natural Resources Agricultural Lands and other factors in Skagit would make siting such a facility much more challenging. Water resources in Skagit are seriously restricted and managed through the Department of Ecology and would need to be reviewed to determine if water demands would exceed available sources. The following information from the Helion company, Chelan County and other sources should be reviewed in the context of evaluating siting and permitting of SMR fusion in Skagit County.

Key community concerns in Chelan County listed during public meetings are listed below and would likely also be issues in Skagit County.

- Radioactive emissions by-products such as Tritium
- Unknown impacts from a first-of-its-kind facility
- Water resource impacts
- Facility decommissioning, which could include materials that had become radioactively activated as part of the fusion process

The following is copied from online content with hyperlinked sources noted in numbered links. Online content has been presented in italics.

*Helion Energy is building the world's first fusion power plant, dubbed **Orion**, in Malaga, WA in Chelan County. The project will power a Microsoft data center and successfully passed the Washington State Environmental Policy Act (SEPA) review with a Mitigated Determination of Non-Significance. Helion successfully completed Chelan County's rigorous environmental reviews and secured the Conditional Use Permit (CUP) required to build the fusion generator building. Initial construction on the facility has begun. [1, 2]*

Below are some key facts related to Helion's Orion plant.

- **Location:** 80-acre site leased from the Chelan County Public Utilities District near the Rock Island Dam.
- **Energy Output:** Will supply at least 50 megawatts (MW) of carbon-free electricity to nearby Microsoft data centers by 2028.
- **Current Progress:** Construction of the site is reportedly running ahead of schedule. The office building is near completion, the assembly building is roofed, and the generator foundation is underway. [1, 2, 3, 4]

Environmental & Regulatory Milestones

- **SEPA Review:** The plant completed the SEPA rigorous environmental review, securing a **Mitigated Determination of Non-Significance (MDNS)** with strong public support. [1, 2]
- **Conditional Use Permit:** Chelan County granted a Conditional Use Permit for the High Impact Utility Facility. [1]
- **Next Steps:** Helion is finalizing its permits with the Washington State Department of Health to begin commissioning the commercial fusion generator. [1]

The following information is from the Chelan County reviews related to specific impacts of the fusion plant.

The review required Helion to submit several reports and identified and addressed several specific impacts through proactive mitigation: [1]

- **Environmental & Biological:** Potential impacts to threatened/endangered species, critical habitats, and overall site drainage were evaluated, leading to a tailored **Habitat Management and Mitigation Plan** and drainage/geotechnical studies. [1]
- **Traffic:** A **Transportation Technical Memorandum** was required to assess construction and operational traffic impacts. [1]
- **Cultural Resources:** The site's archaeological and historical significance was assessed via a **Cultural Resources Survey**.
- **Community Concerns:** During public comment and permitting periods, residents raised concerns regarding public health risks (from byproducts like Tritium), unknown impacts from a "first-of-its-kind" facility, water resource strain, and long-term facility decommissioning. [1]
- **Mitigations & Safety:** The MDNS requires Helion to prepare and adhere to approved decommissioning estimates, conduct routine monitoring, and execute a site cleanup schedule. [1, 2, 3]

Specific Monitoring Requirements

Helion must adhere to a strict Monitoring Schedule embedded within the SEPA MDNS framework to tracking environmental and structural variables: [1, 2]

- *Geotechnical Safety: Helion must implement structural monitoring during site grading and layout. A licensed engineering geologist must certify that slope stabilization, subgrade compaction, and foundations comply with Nelson Geotechnical Associates guidelines. [, 2]*
- *Hydrological Impacts: Because the plant utilizes up to 300 gallons of well water per minute, Helion is required to actively monitor nearby water tables and conduct ongoing impact studies on neighboring water systems. [1, 2]*
- *Environmental & Habitat Integrity: Under the mandated Habitat Management and Mitigation Plan (HMMP), the company is bound to multi-year tracking of stormwater runoff to prevent critical habitat degradation near the Columbia River. [1, 2, 3]*

2. Decommissioning and Financial Protections

Because this is a first-of-its-kind fusion power facility, local authorities required heavy long-term protections: [1, 2]

- *Escrow & Decommissioning Plans: Chelan County and the Washington Department of Health (DOH) mandated a formal Decommissioning Estimate and Plan. This legally binds Helion to keep a designated, secure fund to cover 100% of dismantling costs if operations permanently cease. [1, 2, 3]*
- *Materials Handling: The DOH enforces a Low-Level Radioactive Waste Site Use Permit. This ensures that even though fusion avoids the long-lived waste of traditional fission, short-lived byproducts and activated facility equipment are safely stripped down, monitored, and disposed of at Helion's expense. [1, 2, 3]*

3. Air Quality and Septic Permits

Helion was cleared to build basic office facilities, but operation of the core fusion generation building requires specific outstanding environmental clearances: [1, 2]

- *Notice of Construction Air Quality Permit: This application is filed directly with the Washington State Department of Ecology. The review governs non-radiological air pollutants stemming from large utility equipment and emergency backups.*
- *Radioactive Air Emissions License: Managed separately by the DOH, this license strictly limits and monitors any potential airborne radioactive materials (such as tritium isotopes) to protect regional public health.*
- *Large On-Site Septic System (LOSS) Permit: The Chelan-Douglas Health District is responsible for overseeing and inspecting a specialized large-scale underground septic system. This step is critical because the facility has a zero-discharge policy, meaning absolutely no wastewater can enter the Columbia River. [1, 2, 3]*

Radioactive materials exist within the [Helion] plant due to the following processes: [1, 2]

- *Tritium Production: Helion's technology uses deuterium and helium-3 fuel. However, deuterium-deuterium (D-D) side reactions can also produce tritium, which is a low-level radioactive material. Tritium is managed by capturing, filtering, and storing it in secure containers where it decays into helium-3 to be reused as fuel. [1, 2, 3]*
- *Activated Materials: The fusion process also produces neutrons. Although magnetic confinement prevents these neutrons from escaping the generator, their energy causes nearby reactor components and thick concrete shielding to become activated. [1, 2, 3, 4]*
- *Safety & Storage: Unlike nuclear fission, fusion does not create long-lived, high-level radioactive waste, and there is no risk of a runaway chain reaction or nuclear meltdown. When the fusion machine is turned off, it stops creating radioactive materials and quickly cools down. [1, 2, 3, 4]*

The grid interconnection infrastructure for Helion Energy's Orion plant is a uniquely tight partnership because Chelan County PUD serves as both Helion's landlord and its primary utility gatekeeper. [1, 2]

Because the Orion facility is built on 80 acres of Chelan PUD-owned land near the Rock Island Dam in Malaga, the physical and structural connection to the high-voltage transmission system is optimized for direct grid access. [1, 2, 3]

Land Leasing & Spatial Proximity

- *Rock Island Dam Co-Location: Leasing land directly from the PUD's Rock Island Dam property eliminates the need for miles of new, disruptive cross-county transmission corridors. [1]*
- *Phased Footprint: The Chelan PUD Commissioners approved an initial 20-acre parcel for the 50-to-100 megawatt generator facility, holding an additional 60 acres in reserve until 2038 for future grid expansion. [1, 2]*

Large-Load Interconnection Framework

- *Large-Load Compliance: Because the project targets a capacity significantly higher than 5 megawatts, it is bound by the PUD's strict Large Load Customer Service Connection Procedures. [1]*
- *System Impact Upgrades: Under Chelan PUD Large Load Policies, massive electrical contributors or consumers must fully fund their own interconnection studies and any required substation infrastructure upgrades so local customer-owners do not absorb the financial burden. [1]*

- *Reliability Benchmarks: The physical hookup must comply with District Standard 950.001 Facility Connection Requirements, aligning with federal NERC reliability standards to safeguard the regional Pacific Northwest grid from sudden generation fluctuations. [1]*

The Malaga Micro-Ecosystem

- *Synergy with Microsoft: Physical proximity to the grid is vital due to the localized demand loop. Helion's fusion electrons are slated to feed into the local grid infrastructure to directly offset the massive power draw of Microsoft's nearby multi-building data center campus, also located along the Malaga-Alcoa Highway.*
- *Substation Integration: The localized grid capacity in Malaga has been heavily built up recently, including the Jumpoff Ridge Substation—fully funded by Microsoft—which heavily streamlines how new generation resources and heavy industrial loads interface with Chelan PUD's broader transmission system. [1, 2]*

Fusion reactors require substantial cooling. Different types of fusion reactors use different cooling media. It will be important that the EIS speak to these different methods and their impacts, which differ. Below is a summary of cooling methods.

Different reactors and components utilize different cooling methods: [1, 2, 3]

1. Water Cooling

- *How it works: Water acts as a cooling fluid, functioning much like it does in conventional pressurized water fission reactors. [1]*
- *Current Use: Water is being used for the in-vessel components of the international ITER reactor to capture heat from the plasma and disperse it safely. [1]*
- *Pros: It uses well-established, conventional nuclear technology. [1]*
- *Cons: Water reacts poorly with certain advanced steels (like reduced activation ferritic martensitic steel) and poses contamination and corrosion risks in a high-temperature, high-radiation environment. It also limits the thermal-to-electric energy conversion efficiency to around 30%. [1, 2, 3]*

2. Helium Cooling

- *How it works: High-pressure helium gas circulates through the reactor's blanket and divertor components, transferring heat to a thermodynamic cycle for electricity. [1, 2, 3]*
- *Current Use: Experimental helium-cooling test blanket modules are being developed by China and Europe for testing at ITER. It is the leading candidate for future commercial reactors, such as the DEMO plant design. [1, 2, 3]*

- *Pros: Helium is chemically inert (making it far safer than water), immune to radiation activation, and can withstand extremely high temperatures, boosting electrical conversion efficiency to 40% or more. [1, 2]*
- *Cons: Because helium is a gas, it requires large, high-power pumps to circulate it efficiently through the system. [1, 2]*

3. Liquid Metal and Molten Salt Cooling

- *How it works: Liquid metals like lithium flow through the walls of the reactor.*
- *Pros: Aside from removing massive amounts of heat, these materials are incredibly useful for breeding tritium (a rare hydrogen isotope needed to fuel the reactor) right inside the reactor wall. [1, 2]*

Renewable Fuels (and Fuel Cells)

Renewable fuels are defined as fuel produced using renewable resources and includes renewable hydrogen. Renewable fuels also include fuels that use resources from sources such as renewable natural gas, renewable hydrogen, biodiesel fuel that is not derived from crops raised on land cleared from old growth or first growth forests, or biomass energy.

The County should identify the specific types of renewable fuels being evaluated including both biofuels, renewable natural gas, and hydrogen. In addition, the EIS scope of this section should be expanded to include fuel cell production as it is closely related to renewable fuel production. Growth in hydrogen fuel and fuel cells is growing in the Pacific Northwest as a response to major federal investment in this area.

*The region's push is heavily accelerated by the Pacific Northwest Hydrogen Hub (PNWH2), a federally backed initiative that secured up to **\$1 billion in Department of Energy funding**. While a lot of regional investment focuses on producing the green hydrogen fuel itself, multiple companies are actively targeting the local manufacturing of fuel cells and related systems: [1, 2, 3, 4, 5]*

There are two companies in Oregon currently producing fuel cells and PACCAR, which has a local research and development center in Skagit County, is actively working on developing hydrogen and fuel cell technology for trucking and other applications. There could be opportunities in Skagit to work with PACCAR to site research work or production facilities here, however the prospect of power shortages in the future could make this not an attractive location for the work. Clean energy and battery technology could help to alleviate this issue as discussed above. Creating streamlined reviews and permitting processes would help in attracting more of this type of

business to the area. Simplifying and streamlining reviews and permitting could boost economic opportunities with these technologies.

***PACCAR Inc. (Washington):** Headquartered in Bellevue, Washington, the trucking giant (parent company of Kenworth and Peterbilt) is heavily involved in the [PNWH2 hub](#). They are integrating fuel cell technology directly into heavy-duty commercial trucks, leveraging local engineering talent to build zero-emission transport. [6]*

The potential for reduction of greenhouse gas emissions from production of renewable fuel through capture from sources such as landfills, manure, water treatment or other sources should be evaluated as a positive option. The Rexville manure digester is a good example of this.

Feed stocks, production methods, and energy use vary widely depending on the type of renewable fuel being produced. Not all sources or processes can be considered “green” or “clean”, so the County needs to clearly differentiate the types of fuels being produced and exclude methods that increase climate change potential by the source of their feedstock, energy use, or production costs and resource use. Currently, the renewable fuels industry faces the challenge of high production costs that make it not economically profitable and unable to compete with petroleum refineries, whose companies still receive large subsidies from the government making the costs not truly comparable. Unless incentives for renewable fuel production are increased and larger markets are found, this type of operation is not currently expanding rapidly.

Each type of fuel being produced should be individually analyzed as to how the environmental or economic impacts influence their appropriateness as a clean technology that Skagit County should consider. Additionally, the EIS should include in the scope the production of feedstock crops within as this could have impacts on local agriculture and forestry.

Washington State has already completed some environmental reviews on renewable fuels and the reports from Commerce and Ecology should be evaluated and appropriate findings incorporated into the review. WA Commerce has a policy webpage with resources that may be useful in developing this EIS, which can be found [HERE](#). Below is some additional information from online sources regarding this topic.

Washington State conducts State Environmental Policy Act (SEPA) reviews for renewable fuels. In fact, state agencies have broadened their scope beyond individual project reviews to include statewide evaluations. [1, 2]

In June 2025, we [Ecology] released final [programmatic environmental impact statements for utility-scale onshore wind, solar and green hydrogen production and storage facilities](#). Our broad, statewide environmental studies identify potential significant adverse environmental impacts from these three types of clean energy facilities. . . We are currently developing a new programmatic environmental impact statement for [alternative jet fuel](#) to be released in 2027. [1]

Recent SEPA Actions on Renewable Fuels

- Programmatic Environmental Impact Statements (PEIS): In June 2025, the Department of Ecology completed broad, statewide environmental studies for utility-scale onshore wind, solar, and green hydrogen production and storage facilities. These studies establish foundational knowledge of potential impacts and mitigation methods. [1, 2]*
- Sustainable Aviation Fuel (SAF): The Department of Ecology is currently preparing a programmatic EIS specifically focused on alternative jet fuels. This study is actively underway to analyze the production, blending, and distribution impacts of SAF. [1, 2, 3]*
- Clean Energy Coordinated Permitting: The state has established a coordinated process specifically for eligible clean energy projects, which integrates SEPA review, pre-application discussions, and relevant local/state permits. [1]*

Specific considerations that should be assessed in the EIS include:

- Biological resources (species and habitats) – For all considered processes and production facilities included in this section, assess the potential impacts on habitats, endangered/threatened plant and animal species, and migratory routes. This would certainly be could less impacting than some current manufacturing in the County (e.g. oil refineries), so standard considerations would apply.
- Land use – Natural Resource Lands – developing renewable biofuel production could lead manufacturers to pursue locally sourcing feedstock production. This could impact current agricultural production by switching to fuel feedstock materials versus the current focus on foods and landscape (tulips) products. The EIS should evaluate if prices for biofuel feedstock crops increase due to rising fossil fuel prices, if this could incentivize biofuel feedstock production that could be more profitable than growing food crops that sell for lower prices. The EIS should consider how this might impact traditional Skagit farming and community values. The potential for shifting land use from native ecosystems, forests, or food crops to biofuel feedstock production, if prices provide enough incentive, should be considered and could lead to clearing of forested lands or other natural resource areas to produce feedstock crops. The impact on designation of Natural Resource Agricultural Lands and forests in the Comprehensive plan should be reviewed to determine if updates would be required to allow fuel feedstock use for these lands.

- Air Quality & GHG Emissions -Evaluates emissions from project construction, operations, and the lifecycle of the fuel. It includes criteria pollutants (NOx, SO2, PM10) and greenhouse gases that could be a product of burning the fuels. The County should evaluate the overall net impacts including potential to reduce emissions by converting biomass into fuel but then the emissions in its use would need to be less creating a net reduction in air pollutants and improvement in air quality. Another aspect to be evaluated by the EIS is air quality protection and whether any of the renewable fuel (or fuel cell) production methods generate effluents that could have odors or negative impact on air quality in the production process, including things like particulate matter, sulfur dioxide, nitrogen oxides, or others.
- Water and Hydrology – for each type of potential biofuel and hydrogen production, the County needs to analyze demand on water consumption, potential water quality impacts, wastewater discharge, and stormwater management.
- Land use – Public services and utilities – impact of the power demands and requirements for siting relative to utility services need to be evaluated for each type of facility considered in this category, especially in hydrogen production. As Skagit County faces future energy shortages, how much additional burden would these facilities place on the local supply of energy from PSE. Would additional onsite renewable power such as solar and batteries be able to offset net increases in power demands.

Conclusion

I applaud the County’s decision to develop this programmatic Clean Energy Siting and Permitting Environmental Impact Statement at a time when the need and demand for development of clean energy throughout the State and specifically in Skagit County are increasing. It is important to thoroughly assess and plan for near term demands for more energy and that it be produced in a manner consistent with the State’s Climate Commitment Act. Skagit County can be a model for other communities in Washington taking a forward-looking approach to addressing the need to update requirements, ordinances, permitting, and codes to prepare for this growing need. I look forward to working with the County as the EIS process moves forward and as the Planning and Development Services Department moves forward with updating their processes and documents.

I am available to answer any questions you have on this document and happy to be of assistance.

Respectfully submitted,

Betty Carteret Digitally signed by Betty Carteret
Date: 2026.06.14 16:09:32 -07'00'

Betty Carteret; sydster2@outlook.com
14786 Entner Lane, Anacortes, WA 98221

From: DNR RE SEPACENTER <SEPACENTER@dnr.wa.gov>
Sent: Monday, June 15, 2026 11:27 AM
To: PDS comments
Cc: Robby Eckroth; SHAFER, ANA (DNR); Woodward, James (DNR); Gallant, Sherri (DNR); DNR RE SEPACENTER
Subject: Energy Siting and Permitting EIS Scoping Comment- DNR, SEPA File #202601980
Attachments: Skagit Clean Energy Siting and Permitting EIS Scoping- DNR Comment.pdf

Hello,

Thank you for the opportunity to comment on Skagit County’s Clean Energy Siting and Permitting Scoping efforts. Please accept attached comments from Washington State Department of Natural Resources and confirm receipt.

Best,

Emma Oliver
SEPA External Affairs Coordinator
Office of Legal Affairs & Business Practices
Washington State Department of Natural Resources (DNR)
(360) 902-1709
Emma.Oliver@DNR.wa.gov
www.dnr.wa.gov



**DEPARTMENT OF
NATURAL RESOURCES**

**ENVIRONMENTAL & LEGAL AFFAIRS –
SEPA CENTER**
PO BOX 47015
OLYMPIA, WA 98504-7015

360-902-2117
SEPACENTER@DNR.WA.GOV
WWW.DNR.WA.GOV

June 13, 2026

Jack Moore, Director
Planning and Development Services
1800 Continental Place
Mount Vernon WA 98273

RE: Clean Energy Siting and Permitting EIS Scoping

To Whom It May Concern:

Thank you for the opportunity to review and comment on Skagit County Clean Energy Siting and Planning Programmatic EIS, SEPA File #202601980.

The Washington State Department of Natural Resources (DNR) wishes to formally comment on the above referenced project, with regards to the following issues:

DNR Product Sales and Leasing:

DNR manages 3 million acres of trust lands, including properties within Skagit County, to provide a continuous flow of revenue to [beneficiaries](#). For potential clean energy (e.g., solar, wind, geothermal) projects on DNR managed properties, initial feasibility studies and exploration require land-use licenses. Follow-on development (e.g., energy generating infrastructure), where appropriate, requires DNR leases that necessitate the applicant to first obtain all required local, state, and federal permits.

Washington Geological Survey of DNR:

There are ongoing state-level discussions on technical and regulatory feasibility of geothermal development in Washington. Geothermal is not mentioned in the scoping document, which could be a missed opportunity. Similarly, neither thermal energy storage nor geologic carbon sequestration are mentioned as potential topics of consideration. Both have growing interest in Washington State. “Earth Resources” and “Energy and Natural Resources” can be somewhat vague terms that cover a broad set of overlapping criteria. Rather than these duplicative terms, it might be better to either use one or itemize the topics therein.

If you have questions, please contact our subject matter experts on the following topics:

James Woodward- Clean Energy Program Manager, James.Woodward@dnr.wa.gov, (360) 790-0858

Ana Shafer- Washington Geological Survey Acting Director, ANA.SHAFER@dnr.wa.gov, (253) 569-2307

Thank you,

Emma Oliver
SEPA Center External Affairs Coordinator
360-902-2117
sepacenter@dnr.wa.gov

From: Nick Engelfried <nicke.activism@gmail.com>
Sent: Monday, June 15, 2026 11:35 AM
To: PDS comments
Subject: Energy Siting and Permitting EIS Scoping Comment
Attachments: Sierra Club Mount Baker Group_Skagit County Clean Energy Siting and Permitting Comments.pdf

Dear Skagit County Planning and Development Services,

The Sierra Club Mount Baker Group, representing Sierra Club members in Skagit, Whatcom, and San Juan Counties, is pleased to submit the attached scoping comments for the Skagit County Clean Energy Siting and Permitting EIS. If you have any questions about our comments please feel free to contact me at this email or the phone number listed below.

Sincerely,

Nick Engelfried
360-941-3085
Executive Committee Member
Sierra Club Mount Baker Group

Dear Skagit County Planning and Development Services,

The Sierra Club Mount Baker Group, representing Sierra Club members in Washington's Skagit, Whatcom, and San Juan Counties, appreciates the opportunity to comment during the scoping period for the Skagit County Clean Energy Siting and Permitting project. We commend Skagit County for taking a proactive approach to siting the low-carbon energy infrastructure essential for both combatting climate change, and maintaining competitiveness in the fast-growing global clean tech economy.

The urgency of climate change and resource consumption that has led to crossing key planetary boundaries means we are faced with an imperative to quickly build out renewable resources while minimizing adverse environmental and cultural impacts. Ultimately, going through this process early on, in a careful manner, saves time by avoiding unnecessary litigation and local opposition that delays or prevents projects being built. The focus of regulations should be on preventing genuine harm, while allowing projects with few negative impacts to avoid unnecessary barriers to completion.

With the above in mind, we support the Action Alternative. We urge the County to consider the following guiding principles for siting and prioritizing low-carbon energy sources.

Streamline low-impact renewables

Renewable technologies like solar, wind, and battery storage have a small environmental footprint if zoned properly and sited appropriately. They are cost competitive and should form the backbone of the new energy economy. Solar, in particular, poses few major safety concerns and can be rapidly deployed, provided adequate grid connections exist, to generate clean, affordable energy. Identifying potential sites for utility-scale solar (including small to medium-sized projects), as well as encouraging the development of home rooftop solar, should be priorities in Skagit County.

Regulations affecting solar, battery, or wind projects should focus on ensuring projects are sited appropriately to avoid adversely impacting critical areas, vital wildlife habitat and significant cultural resources, while maintaining basic safety and health standards. Once these objectives are achieved, the goal should be a streamlined permitting process that avoids putting unnecessary barriers in the way of beneficial, common-sense projects. Developers should be able to have confidence that well-designed projects meeting these standards will be approved in a timely manner.

Avoid high-risk projects, polluting industries, and unproven technologies

Skagit County's strategy for developing non-fossil fuel energy sources should avoid risky technologies like nuclear, as well as highly polluting forms of "renewable" energy like forest

biomass. To the first point: the nuclear industry and its promoters have launched a marketing offensive to convince policymakers and the public that “small modular reactors” (SMRs) are significantly safer, less costly, and less risky than conventional nuclear power. However, a close look at the technology shows it failing to live up to the hype. SMRs still produce waste; in fact, evidence suggests their cores are actually more likely to leak neutrons than conventional reactors, generating two to thirty times as much toxic waste per unit of energy. Existing SMRs in countries like China and Russia have taken longer to build and cost more than the initial, optimistic projections—and any new nuclear project in Washington State is sure to encounter public opposition that will at the very least delay construction.

Another technology to avoid is forest biomass, or energy generated from burning wood. Despite industry claims that their power plants run mainly on waste wood and forest industry byproducts, the major companies turning wood into pellets for energy generation in North America have been linked to deforestation and even the destruction of old-growth trees in the US South and British Columbia. Burning wood for energy emits CO₂, and the lifecycle carbon footprint of forest biomass energy is similar to that of coal. In short, forest biomass projects would endanger our forests while doing nothing to combat climate change, and should be discouraged.

Renewable liquid fuels, such as biodiesel made from food industry waste or algae, present a more complex challenge. If developed responsibly and in a way that minimizes lifecycle carbon emissions, such fuels may indeed have a role to play in the emerging clean economy. However, their practical application is likely to always be limited given the difficulties of developing them at scale. Any focus on liquid renewable fuels should not be allowed to distract from the rapid deployment of more tested clean technologies like solar.

Ensure responsible siting for renewables

It is in everyone’s interest that renewable technologies be deployed in ways that avoid adverse impacts on endangered species habitat, critical natural resources, shorelines, flood zones, and culturally important sites. Developing projects with these considerations in mind from the beginning helps avoid costly delays later, ultimately contributing to a smoother path to completion. The key to guaranteeing siting of renewable projects adequately addresses environmental and social justice concerns is to ensure major stakeholders—such as conservation organizations, agricultural interests, farmworkers, and tribal nations—are closely involved in the planning process early on.

A special emphasis on Indigenous tribes is warranted here. Tribes are sovereign nations, and as such should be engaged from the first stages of planning major renewable energy projects. In Eastern Washington, clean energy projects have run into costly and potentially

avoidable delays because tribes like the Yakama were not meaningfully consulted until the late stages of the EIS process, by which point opportunities to dramatically shift the direction of a project are limited. Skagit County should seek to avoid similar problems by ensuring major renewable projects are sited with input from tribes occurring at the earliest possible time.

In summary

Taking a proactive approach to renewable energy development in Skagit County is a wise and forward-looking move that should help ease the way for deployment of technologies essential for the fight against climate change and the health of natural systems, and to maintain national and regional competitiveness. The goal of this process should be to provide a smooth path to approval and completion for relatively low-impact projects, while avoiding risky and costly technologies, and ensuring meaningful consultation with tribes and other stakeholders.

The Sierra Club Mount Baker Group congratulates Skagit County for embarking on this project and urges that it be pursued with the above-outlined considerations at the forefront.

Sincerely,

Doris Brevoort, Mount Vernon, Mount Baker Sierra Club Executive Committee Member

William Gregory, Sedro-Woolley, Mount Baker Sierra Club Leadership Team Member

Nick Engelfried, Bellingham, Mount Baker Sierra Club Executive Committee Member

From: Nick Engelfried <nicke.activism@gmail.com>
Sent: Monday, June 15, 2026 11:42 AM
To: PDS comments
Subject: Energy Siting and Permitting EIS Scoping Comment
Attachments: Sierra Club Mount Baker Group_Skagit County Clean Energy Siting and Permitting Comments.pdf

Dear Skagit County Planning and Development Services,

The Sierra Club Mount Baker Group, representing Sierra Club members in Skagit, Whatcom, and San Juan Counties, is pleased to submit the attached scoping comments for the Skagit County Clean Energy Siting and Permitting EIS. I am resending my original message with a complete mailing address for Mount Baker Group business, below.

If you have any questions about our comments please feel free to contact me at this email or the contact information listed below.

Sincerely,

Nick Engelfried
360-941-3085
Sierra Club Mount Baker Group
330 32nd Street
Bellingham, WA 98225

From: Hagin, Emily <Emily.Hagin@pse.com>
Sent: Monday, June 15, 2026 11:51 AM
To: PDS comments
Subject: "Energy Siting and Permitting EIS Scoping Comment"
Attachments: Skagit County CESP comment letter_PSE_June 2026.pdf

Please see the attached public comment.

Emily Hagin

Supervisor, Municipal Land Planning

1110 Kentucky Street

Bellingham, WA 98229

Phone: 360-319-6424





Puget Sound Energy
P.O. Box 97034
Bellevue, WA 98009-9734
PSE.com

June 15, 2026

Skagit County Planning and Development Services
1800 Continental Place
Mt. Vernon, WA 98273

Dear Skagit County Commissioners and Planning Staff,

Puget Sound Energy (PSE) appreciates the opportunity to comment on the Clean Energy Siting and Permitting (CESP) Project. As Skagit County's largest electric utility and renewable energy developer, PSE has a strong interest in land use policies that support responsible clean energy development while maintaining environmental protection and meaningful local review.

PSE supports the approach outlined in Alternative #2, directing staff to conduct a county-wide evaluation of potentially significant environmental impacts for solar energy facilities, battery energy storage facilities, small nuclear reactors and renewable fuel facilities. We hope this study provides clarity and flexibility for new energy development in the County and that it demonstrates that renewable energy development can co-exist with agricultural, recreational and environmental uses that support Skagit's unique economic landscape.

PSE also appreciates the County including battery energy storage systems (BESS) in CESP study. As mentioned in our comments on the Comprehensive Plan, energy storage technologies play an increasingly important role in supporting grid stability, integrating renewable generation, managing peak demand and improving outage response. National safety standards and zoning regulations for BESS have advanced in recent years to support clear permitting pathways for integrating BESS on the grid. Establishing clear standards and appropriate locations for these facilities will help ensure that impacts are well understood and mitigated early in the process.

Finally, we appreciate the County's commitment to establishing clear mitigation expectations. Known and transparent mitigation measures can reduce uncertainty, establish known timelines, and improve project design—provided they are implemented in a manner that remains proportional, adaptable, and grounded in site-specific analysis.

PSE looks forward to continued collaboration with Skagit County as the CESP Project advances. We remain committed to working with the County and local communities to support clean energy development that is responsibly sited and beneficial to the region.

Sincerely,

A handwritten signature in black ink that reads "Emily Hagin". The signature is written in a cursive, flowing style.

Emily Hagin
Puget Sound Energy
Supervisor, Municipal Land Planning

From: Sophia Steele Conley <ssteele@wspa.org>
Sent: Monday, June 15, 2026 3:09 PM
To: PDS comments
Cc: Jessica Spiegel
Subject: WSPA Comment Letter
Attachments: WSPA Skagit PEIS letter_06-15-2026 final.pdf

Good afternoon,

On behalf of the Western States Petroleum Association, please see the attached comment letter. We appreciate the opportunity to provide comments and are more than happy to answer any questions.

Thank you,

Sophia Steele Conley
Director, Northwest Region



C: 425.890.9723
O 360.352.4516

Sophia Steele Conley

Senior Manager, Northwest Government Affairs

To pdscomments@co.skagit.wa.us

Robby Eckroth, Senior Planner
Skagit County Planning and Development Services
1800 Continental Place
Mount Vernon, WA 98273

June 15, 2026

Re: Energy Siting and Permitting EIS Scoping Comment

Dear Mr. Eckroth,

The Western States Petroleum Association (WSPA) appreciates the opportunity to provide comment on Skagit County's Energy Siting and Permitting EIS Scoping proposal.

WSPA is a non-profit trade association that represents companies that safely explore for, produce, refine, transport and market petroleum, petroleum products, natural gas and other energy supplies in California, Washington, Oregon, Nevada, and Arizona. Our members operate two refineries in Skagit County.

We reviewed the materials and have a couple of thoughts and suggestions that we believe would facilitate clean energy projects in the county. This is of great importance to the county as these projects are needed to allow the refineries to transition to clean fuels, while also continuing to maintain in-state refining capacity for petroleum products demanded by consumers, thereby preserving that capacity rather than creating dependence on international refining operations.

Project Coverage

We would recommend that the alternatives include both greenfield and brownfield projects, using similar sized projects to help clarify the value of improvements within existing industrial areas.

To recommend projects for coverage in the PDEIS, we had to review what projects trigger an EIS process today. For example, through our research of the state SEPA register database, projects using existing infrastructure (ex -processing units, storage tanks) have not triggered a DS or EIS such as converting a diesel unit to a renewable fuel unit. Larger projects seem to be the trigger and appear to have entered the EIS process only to be cancelled due to permitting timelines. As you know, by the time a company entered such a

process, typically significant financial resources have been expended to justify the value of the capital investment of the company, so this is disappointing to the future of energy in Washington, to say the least.

If Skagit County wants to do something with big impact for green energy as well as for emergencies, analyzing increased storage would really make a difference for the facilities and jobs that are in Skagit County. Significantly improved blending and storage abilities for the sites would greatly improve the future of the plants and ability to take in and blend increased volumes of biofuels. These kinds of projects would not increase petroleum throughput at the facilities beyond the existing, known structural limitations and do improve site longevity. These projects may trigger an EIS, and we would recommend them for the PEIS.

In addition, including a modest-sized co-processing unit as one of the projects evaluated would make sense and have a real benefit to existing facilities.

Elements Of the Environmental Discussion

If marine resources are not covered under transportation, energy and natural resources, we would recommend that they be included.

And, while not an environmental element, we recommend that economic and operational impacts to the community also be evaluated, particularly the potential impacts if facilities are unable to construct projects needed to comply with state law under the Climate Commitment Act.

Adoption of Code

Unfortunately, many PEIS's do not have the effect of limiting voluminous EIS requirements for many projects. As a result, we recommend that the county codify projects included in the PEIS as explicitly approved activity in the county.

If you have any questions or comments, please feel free to reach to me at ssteele@wspa.org.

Sincerely,

A handwritten signature in black ink that reads "D. Steele". The signature is written in a cursive, slightly slanted style.

Sophia Steele Conley

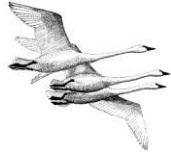
CC: Jessica Spiegel, VP NW Region

From: Timothy Manns <T.Manns1@outlook.com>
Sent: Tuesday, June 16, 2026 11:08 AM
To: PDS comments
Subject: Energy Siting and Permitting EIS Scoping Comment
Attachments: Skagit Audubon scoping comments on energy siting and permitting EIS.pdf

Please accept the attached comment letter from Skagit Audubon Society on the Skagit County energy siting EIS.

Thank you

Tim Manns
Conservation Chair
Skagit Audubon
PO Box 1101
Mt. Vernon, WA 98273
360/333-8985



Skagit Audubon Society

**P.O. Box 1101
Mount Vernon, WA 98273**

June 16, 2026

Skagit County Planning and Development Services
1800 Continental Place
Mount Vernon, WA 98273

Re: Energy Siting and Permitting Environmental Impact Statement (EIS) Scoping Comment

Dear Planning and Development Services Staff and Members of the Skagit County Planning Commission,

I am writing on behalf of Skagit Audubon Society, the National Audubon chapter focused on Skagit County. Skagit Audubon's approximately 500 members share an interest in birds and other wildlife and a commitment to the protection of these species and the habitats on which they depend. We appreciate that you are taking a proactive approach to energy facility siting in Skagit County. This is something for which we and other groups have advocated in recent years. National Audubon research identifies climate change as the greatest threat to the continued existence of many bird species. For this and many other reasons, Audubon's more than 400 chapters urge rapid transition away from fossil fuels. We see the planning project on which you are embarked as an important step advancing this necessary transition in Skagit County in a way that recognizes and protects what we value most about the place we live.

We offer the following scoping comments for the Energy Siting and Permitting Environmental Impact Statement (EIS).

1. Please thoroughly examine the potential for distributed solar power generation in Skagit County.

We appreciate that regulations and policies under the Growth Management Act exempt agricultural lands from solar power development that would eliminate their functioning for agriculture. Please examine the opportunities for promoting development of distributed solar on the roofs of large public and private buildings, above parking areas, and over other places where shade would not be detrimental. As seen in much hotter areas such as Arizona, solar panels producing both electricity and shade will be increasingly welcome here as the climate warms.

We also request that you examine the potential for community solar in Skagit County's unincorporated towns and villages. Projects completed some years ago in Anacortes demonstrate how this can be done.

2. Please add wind energy facilities to the topics the EIS will address.

The project website makes no reference to wind energy. We ask that you add this to the list of topics the EIS will address.

~ to conserve and restore natural ecosystems, focusing on birds, other wildlife, and their habitats for the benefit of humanity and the earth's biological diversity ~

In some parts of the U.S. poorly sited wind turbines have adversely affected birds. The bays and fields of Skagit County are well-known and documented as of great importance for wintering waterfowl and raptors. The county is also home to the largest and most important Great Blue Heron communal nesting site around the Salish Sea (March Point) as well as having several smaller heronries. The EIS should identify areas where wind turbines are likely to adversely affect birds. These include Trumpeter and Tundra Swan night roosts and foraging areas (e.g. Barney Lake Conservation Area; Johnson-DeBay Slough), Samish and Skagit Flats where numerous raptors winter, bald eagle night roosts and nests, heronries and their related staging and foraging areas (e.g. March Point heronry; Padilla, Fidalgo, and Samish Bays). Also excluded from wind power development should be flight paths of the federal and state-listed Marbled Murrelet between marine waters and their inland nest sites and the routes used by Harlequin Ducks, which forage in marine waters but breed and nest along rivers.

Resources to consult include the American Bird Conservancy's Wind Risk Assessment map ([Wind Risk Assessment Map - American Bird Conservancy](#)) and National Audubon's map showing Skagit County's several designated Important Bird Areas (IBAs). IBAs are sites identified as internationally or nationally significant for the conservation of birds and biodiversity ([Important Bird Areas](#)). They should be avoided as sites for wind or solar energy development. National Audubon has information about minimizing the impacts of wind energy facilities on birds: [The State of the Science on Land-Based Wind Energy and Birds | Audubon](#).

3. Please thoroughly evaluate the short and the long-term aspects of small nuclear power facilities.

We note that small nuclear power facilities are among the topics the EIS will address. We have had the opportunity to read Tom Carpenter's scoping comments concerning such facilities. We share his concern that the short and long-term risks involved with this technology significantly outweigh the potential benefits. We join him in urging that these risks be thoroughly and objectively addressed in the EIS.

4. Please add geothermal power generation to the topics the EIS will address.

We note the absence of reference to geothermal applications and facilities in the information about the present planning effort. It would be worthwhile to address ground-source heating systems and their potential in Skagit County. We would also note that the U.S. Forest Service (USFS) is currently revisiting the potential for geothermal power generation leases on the Mount Baker-Snoqualmie National Forest (MBSNF). The comment period closed June 11, 2026, on the *Mt. Baker Geothermal Consent to Lease Draft Environmental Assessment* ([Mount Baker-Snoqualmie National Forest | Project Summary \(#284163\) | Forest Service](#)). We imagine, but are not certain, that most of the potential lease sites are in Whatcom County. We also do not know if Skagit County would have authority in geothermal development on federal land, but we offer this comment in case the county would have something to say about such development. Comments submitted to the USFS outline considerations related to wildlife, protected roadless areas, and more that are important to Skagit Audubon and other

conservation groups. The Washington Wild comment letter which our organization co-signed describes our considerations in potential geothermal leasing on the MBSNF (see [US Forest Service NEPA Project Public Reading Room](#), letter from Tom Uniack, June 11, 2026).

5. Battery Energy Storage Systems should be sited with particular care.

Issues around battery energy storage systems (BESS), a necessary component of solar and wind-based energy, were central in Skagit Audubon's wish to see Skagit County develop a proactive approach to siting energy facilities. We opposed the BESS planned for just east of Sedro-Woolley for its location on a salmon-bearing creek, in the Skagit River's 100-year flood plain, and immediately adjacent to a residential community. These are all factors concerning siting BESSs that we ask you to address in the present EIS. We understand that the safety record of BESS facilities has greatly improved and urge that Planning & Development Services devise means to convey these improvements to the public. The EIS should also address how local emergency response departments will be trained and equipped to ensure public safety.

Thank you for the opportunity to comment. We appreciate the work you are doing towards improving Skagit County's energy supply while moving us away from dependence on fossil fuels.

Sincerely,

A handwritten signature in black ink on a light-colored rectangular background. The signature is cursive and appears to read "Timothy Manns".

Timothy Manns
Conservation Chair
Skagit Audubon Society

Lavelle E. Pilon

From: Mary Pugsley <mppugsley@gmail.com>
Sent: Tuesday, June 16, 2026 12:07 PM
To: PDS comments
Subject: Energy Siting and Permitting EIS Scoping Comment

Hello,

I am a Skagit County resident, and protecting our world and the people on it are my main priorities, and what I believe should be the main priorities of government at all levels. I applaud the Planning Commissioners for applying for the grant to fund this very important work to ensure that clean energy facilities are being sited safely and intelligently, taking into account all the concerns outlined in the proposal. Solar energy and battery storage have a strong track record, and should be foremost on the agenda, in my opinion; clean fuel sources (multiple different types requiring specific analysis) should also be studied. Nuclear power is much more concerning to me, and I would strongly favor excluding it from being sited in Skagit County. There is no history of a commercial small modular nuclear reactor being built in the US, and there are numerous long term safety concerns. Given the short time frame (my understanding is this whole process of analysis and planning is to be completed in a year), it seems that the other types of clean energy would be much more important and fruitful to study. Not listed in the plan are wind energy, and geothermal energy which should have the same development opportunities and oversight as solar in my opinion.

Thank you again for all your work on this, in the past, and all that you have ahead of you!

Mary Pugsley

1518 Eaglemont Pl

Mount Vernon 98274

Sent from my iPad

From: Allison Work <awork@swinomish.nsn.us>
Sent: Tuesday, June 16, 2026 12:50 PM
To: PDS comments
Cc: Heather Spore; Amy Trainer
Subject: Swinomish Indian Tribal Community Comments on Skagit County Clean Energy Siting and Permitting
Attachments: SITC_L2SkagitCo_CleanEnergyEIS_20260616.pdf

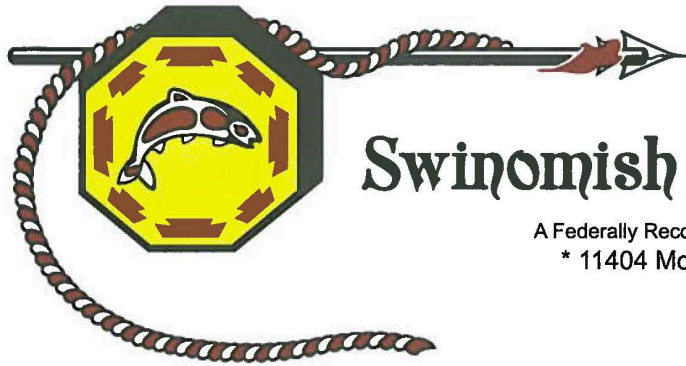
Dear Mr. Eckroth,

I am submitting these comments regarding Skagit County's Clean Energy Siting and Permitting project EIS scoping on behalf of the Swinomish Indian Tribal Community.

We appreciate the opportunity to provide comments. Please let me know if you have any questions.

Best,

Allison Work
Climate Policy Analyst
Swinomish Indian Tribal Community
(360) 770-0292



Main Office: 360.466.3163

Facsimile: 360.466.5309

Swinomish Indian Tribal Community

A Federally Recognized Indian Tribe Organized Pursuant to 25 U.S.C. § 476
* 11404 Moorage Way * La Conner, Washington 98257 *

June 16, 2026

Robby Eckroth, Senior Planner
Skagit County Planning and Development Services
1800 Continental Place
Mount Vernon, WA 98273

Sent electronically via email to: pdscomments@co.skagit.wa.us

RE: Energy Siting and Permitting EIS Scoping Comment

Dear Mr. Eckroth,

On behalf of the Swinomish Indian Tribal Community, we submit these comments in response to Skagit County's Clean Energy Siting and Permitting process aiming to adopt clean energy regulations in unincorporated Skagit County by May 2027. This important process should result in code and guidance for future energy developers that protects fish and habitat, considers projected climate change impacts, allows only appropriate and feasible energy generation technologies, and aligns with concurrent statewide clean energy efforts.

Background

The Swinomish Indian Tribal Community ("Swinomish" or "Tribe") is a federally recognized Indian tribe and political successor in interest to certain tribes and bands that signed the 1855 Treaty of Point Elliott, which among other things reserved fishing, hunting and gathering rights and established the Swinomish Reservation on Fidalgo Island in Skagit County, Washington. The Swinomish Reservation sits at the mouth of the Skagit River, the largest river system draining to Puget Sound and the only river in the Lower 48 states that still has all species of wild Pacific salmon and steelhead spawning in its waters. Since time immemorial, the Swinomish Tribe and its predecessors have occupied and utilized vast areas of land and water in northern Puget Sound up to the Canadian border to support the Swinomish way of life.

As a leader in clean energy resilience, the Tribe supports the development of clean energy generally; it is of the utmost importance to transition energy sources away from fossil fuels to reduce emissions of carbon dioxide and other compounds released during combustion of these fuels in order to protect natural resources, habitat, and air and water quality. Swinomish has been a leader in the clean energy space and appreciates Skagit County's efforts to support decarbonized energy production. Following the Tribe's groundbreaking 2010 Climate Adaptation Action Plan, the Tribe developed an Energy Plan in 2017. An update to the Energy Plan is currently in progress, and the Tribe has advanced infrastructure projects that support and provide clean energy generation. Numerous completed projects have advanced Swinomish renewable energy generation while decreasing on-Reservation emissions: several large solar panel and battery backup installations have been installed on Tribal administration buildings, public electric vehicle chargers are available throughout Swinomish Village and at the Swinomish Casino and Lodge, and solar projects on Tribal housing are installed and more are planned. Additional clean energy projects are in exploratory phases.

Protecting natural resources today while considering future conditions

This effort is squarely aligned with the County's 2025-45 Comprehensive Plan, including the Climate Element, Resiliency Sub-element Policy 12B-1.4: "*Identify areas in the County that are appropriate for siting renewable energy generation and storage facilities that prioritize protection of Natural Resource Lands.*" Multiple policies throughout Chapter 9 regarding cleaner power generation and utilities development, including Policy 9A-5.1 which encourages phase-out of energy generation from non-renewable resources, advance this goal. In addition to protecting existing natural resource lands, it is also imperative that clean energy development in Skagit County does not result in new impacts to Endangered Species Act (ESA)-listed species and their habitats across the Skagit River watershed. Siting and permitting of clean energy projects must not occur within or adjacent to fish and wildlife habitat conservation areas or designated critical areas in the County, nor result in impacts to fish-bearing streams. Codes should prioritize conservation of water resources by adhering to the instream flow rule and improving water quality rather than exacerbating current water quality issues with additional water withdrawals. No net increase of impervious surfaces near fish-bearing streams should be allowed, given documented impacts to fish from runoff and pollutants in stormwater.

Clean energy project siting is most appropriate in already developed lands or lands designated for development, including current commercial and industrial zones and urban growth areas (UGAs). Reiterating comments made by the Tribe in 2023 during a public comment regarding the battery energy storage system (BESS) proposed by Goldfinch Energy Storage near Hansen Creek, future consideration of BESS facilities should be limited to areas within UGAs only.¹ Current Skagit County Code (SCC) restricts the amount of utilities development in natural

¹ Swinomish letter to Skagit County, Feb. 15, 2023, RE: Notice of Decision for File# PL22-0460, AOI 2023-01

resource lands (SCC 14.18.870 (3) and (4)). As facilities that generate electrical energy, clean energy developments would be bound by these same provisions.

The state is exploring distributed energy resources, including agrivoltaics, through new legislation and funding efforts. Engrossed Substitute Senate Bill 5445, passed in 2025, stipulates that “the addition of an agrivoltaic facility to farm and agricultural lands does not constitute a reclassification [of land],”² and the Department of Commerce suggests that agrivoltaic panels could be considered a secondary use under the Growth Management Act.³ As energy needs rise and development pressures increase on local land, the County could consider clean energy generation methods that could be co-located with other existing land uses and provide co-benefits.

All code and permitting for clean energy infrastructure must also consider future conditions, including those caused or exacerbated by climate change. The County must use best available science to incorporate climate change projections and expected impacts of possible projects. This aligns with related policies under Goal 12J of the Comprehensive Plan, “*Enhance community resilience by integrating climate change projections into land use, infrastructure planning, and development regulations, ensuring long-term safety from sea-level rise, flooding, wildfires, and other climate-exacerbated hazards while protecting natural ecosystems.*” Any code governing clean energy development should include provisions to consider future climate conditions during siting, design, and operation, including planning for sea level rise, changes in precipitation and flood risk, and additional climate hazards. This aligns with multiple Comprehensive Plan policies, including Policy 12J-1.5 and 12J-1.8, and protects the people, wildlife, habitat, and infrastructure of Skagit County.

Appropriate energy sources and their feasibility in Skagit County

Small modular reactors are an entirely unproven technology

As Skagit County considers siting and permitting of various types of clean energy projects, it is critical that the County considers only projects that are reasonable for the mostly rural area. Small modular reactor (SMR) nuclear facilities are an entirely unproven technology, and are many years—if not decades—away from market-ready, safe energy production. No SMRs are currently in operation anywhere in the United States, and only two are operational across the globe.⁴ Furthermore, SMRs can vary in design, technology, and type—their name referring to their mass-production potential, rather than type of nuclear reaction—and all operational models rely on nuclear fission, a radioactive waste-producing process regulated exclusively by the

² <https://lawfilesexternal.wa.gov/biennium/2025-26/Pdf/Bills/Session%20Laws/Senate/5445-S.SL.pdf>

³ https://planningassociationofwa.org/wp-content/uploads/2026/04/SMITH-Valerie-DRAFT_PAW-2026-presentation.pdf

⁴ <https://world-nuclear.org/information-library/nuclear-power-reactors/small-modular-reactors/small-modular-reactor-smr-global-tracker>

Energy Facility Site Evaluation Council (EFSEC)⁵ in Washington State. Moreover, current nuclear technology is fission-based only; nuclear fusion, in contrast, is firmly in the research and development phase and fusion-based nuclear power generation technologies are entirely theoretical at this time.⁶ Even if commercially viable fusion technologies advance, there are many unknowns. Radioactive waste will still be a byproduct of fusion; although waste products are expected to be different than those produced by current fission reactors, radioactivity must be considered in community safety, waste storage, disposal, emergency spills/leaks, and facility decommissioning.⁷

Additionally, without an understanding of what fusion-based SMR technology would look like, it's impossible to assess the impacts and consequences of permitting and siting these facilities. Today's fission reactors rely heavily on steam generation and water-based cooling during energy production and management, and water availability and use constraints are a major focus of a recent EFSEC report regarding SMRs.⁸ With current technologies, nuclear facility water needs are massive and Skagit County must consider potential water treatment, water withdrawals, instream flow requirements, and stream temperature standards for ESA-listed species. Furthermore, the "small" in "small modular reactor" is relative; mPower, one of the few companies making commercially viable SMRs in the world, estimates that a 180 megawatt electrical (MWe) facility would require 40 acres of land.⁹ SMRs are generally considered small if producing less than 300 MWe¹⁰ – a possibly massive land impact, particularly if siting is constrained to UGAs and industrial zones. These factors call into question Skagit County's definition of "clean energy," and we urge a closer look at viability of technologies investigated.

Renewable fuels development aligns with several statewide efforts

Renewable fuels, defined under RCW 43.330.560 as "fuels produced using renewable resources and includes renewable hydrogen," are the subject of considerable legislative and rulemaking effort at the state level. These fuels have the potential to reduce lifecycle greenhouse gas emissions and sell in large markets, particularly as the Clean Fuel Standard in Washington State requires reduced carbon intensity in fuels over the next several years as per RCW 70A.535.025.¹¹ The County should align current efforts with actions taken by the State regarding renewable fuels, providing a clear pathway for projects that can support these endeavors. Projects such as converting existing oil refineries to produce renewable diesel or sustainable aviation fuel, for example, without any expansion of capacity can support decarbonization while providing products for a growing market. The County considered this possibility while

⁵ <https://efsec.wa.gov/nuclear>

⁶ <https://www.nrc.gov/materials/fusion/fission-vs-fusion>

⁷ https://efsec.wa.gov/sites/default/files/2025-04/20241114_LegislativeReport_FusionTechnology.pdf

⁸ <https://efsec.wa.gov/sites/default/files/2025-05/20160108SMRFinalReport.pdf>

⁹ Ibid.

¹⁰ Ibid.

¹¹ <https://app.leg.wa.gov/RCW/default.aspx?cite=70A.535.025>

developing the 2025-45 Comprehensive Plan under Policy 9A-5.5, “*Encourage commercial and industrial facilities to support the transition to low-carbon systems, including incorporation of co-generation systems whenever possible. In parallel, support the transition of high-carbon emitting sectors, including oil refining and industrial gas manufacturing, to low-carbon processes or industries.*” Many refinery conversions are underway or completed across the U.S. and globe,¹² and consideration should be given now to how existing infrastructure can be amenable to future production efforts.

Solar technologies are proven, installations on the rise, and projects offer many co-benefits Photovoltaic (solar) electricity infrastructure in Washington is growing quickly, with total solar generation from all sources in the state reaching 1,350,000 MWh in 2025, almost triple the generation from 2022.¹³ This proven technology can be deployed at scale to provide power directly to the electric grid or in distributed installations, covering substantial portions of local power requirements directly and often providing additional, decarbonized power to the grid. These projects can reduce operating costs for installation owners and add to reliability for utilities, without producing greenhouse gas emissions during electricity generation. Skagit County should prioritize making solar installation easy, and advance projects in its purview such as adding panels to all County-owned buildings to encourage community uptake. Solar installations should be allowed on existing buildings in all zones, as roof-mounted solar installations are not expected to create additional impacts beyond the existing building. Additionally, the County should consider how straightforward siting and permitting of solar projects can provide co-benefits. Solar installations over parking lots can provide shade and weather protection in urban areas while using already developed lands. Puget Sound Energy offers incentive programs that can assist with or cover entirely the costs of solar installations,¹⁴ in addition to myriad other grants and programs that can be explored.

Transmission considerations and future planning

Finally, we encourage the County to consider other current efforts in the clean energy space and align as process allows. One such highly relevant effort is the new Washington Electric Transmission Authority (WETA), created by SB 6355 in the 2026 legislative session.¹⁵ WETA will facilitate upgrades and planning for transmission lines throughout the state, supporting both the growing demand for electricity and new clean power supplies. These efforts could substantially reform power transmission in Washington over the coming decades, but will also need significant mitigation for the new or replaced infrastructure development. Skagit County should consider how the increased transmission capacity could fit within its clean energy code to best ensure long-range planning efforts now can provide clean, cost-effective electricity for residents in the future without having any net loss of habitat functions or values.

¹² <https://doi.org/10.1016/j.jelepro.2022.134335>

¹³ <https://www.eia.gov/electricity/data/browser/>

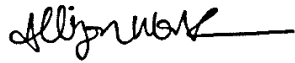
¹⁴ <https://www.pse.com/en/green-options/solar-energy-credit>

¹⁵ <https://lawfilesexxt.leg.wa.gov/biennium/2025-26/Pdf/Bills/Session%20Laws/Senate/6355-S.SL.pdf#page=1>

Throughout this Clean Energy EIS Scoping process, Skagit County has an opportunity to prepare for the future, planning for siting and permitting of clean energy projects in the critical decades ahead as Washington State transitions to carbon-free electricity by 2045. As a part of this larger transition, the County can thoughtfully prepare for this decarbonized future, laying the groundwork for clean energy projects sited in places that provide benefits for people, resources, and wildlife, and consider viable future technologies that provide consistency and stability for the various ecosystems and ways of life across Skagit County.

Thank you for the consideration of our comments.

Sincerely,

A handwritten signature in black ink, appearing to read "Allison Work", followed by a horizontal line extending to the right.

Allison Work, Climate Policy Analyst
Swinomish Indian Tribal Community

From: Christie Stewart Stein <jsteinwa@earthlink.net>
Sent: Tuesday, June 16, 2026 1:07 PM
To: PDS comments
Subject: Energy Siting and Permitting EIS Scoping Comment

Dear Skagit County Planning and Development Services,

Thank you for the invitation to comment on the proposal for a Clean Energy Advisory committee, and for a thorough review of county siting and permitting regulations related to this topic.

Our farming family is strongly in favor of the county considering all forms of clean energy and analyzing them for impacts to our community – farmland and natural environment.

Clearly, protecting farmland is a high priority for us, and so is the expansion of clean energy options. The first obvious step is to fully investigate the options along with their advantages and disadvantages.

Our farm is almost fully powered by clean energy in the form of solar panels. It makes a significant impact on our profitability as well as our positive impact on the environment.

Thank you for your work on this issue.- Christie Stewart Stein, Riversong Farm, 16384 Donnelly Road, Mount Vernon 98273

From: Brenda Cunningham <brenda.cunningham1@outlook.com>
Sent: Tuesday, June 16, 2026 1:37 PM
To: PDS comments
Subject: Energy Siting and Permitting EIS Scoping Comment
Attachments: Clean Energy scoping June 2026.docx

Thank you for this opportunity. – Brenda Cunningham

To: Skagit County Planning and Development Services

Re: Energy Siting and Permitting EIS Scoping Comment

Date: June 16, 2026

From: Brenda Cunningham, 1218 South 13th St, Mount Vernon, WA 98274

Dear Planning and Development Services Staff and Members of the Skagit County Planning Commission,

Thank you for the opportunity to comment on the scope of the EIS. I appreciate that you are taking a proactive approach to energy facility siting in Skagit County. As a resident of Skagit County I offer the following scoping comments for the Energy Siting and Permitting Environmental Impact Statement (EIS). In general, I ask that the EIS include cumulative impacts for each of these options and for multiple options taken simultaneously.

Solar – Please be sure to include options for small, distributed solar arrays. We have covered much of our home and garage roofs with panels and find that nearly all our energy use for the home and one vehicle is covered. Making it easier for others to do this, or to link into community solar projects, would greatly reduce the need for large scale solar arrays. Roof tops of community buildings could provide solar power access for residents who cannot have private solar installations. Installations on condominiums and apartments should be encouraged with ease of permitting.

Although there is a reasonable concern for protecting agricultural lands, I don't think the use of solar power on farmland should be prohibited. There may be instances in the future when we see benefits to farmland to have solar panels providing shade for livestock and plants.

BESS – Although there is a lot of local opposition to use of Battery Energy Storage Facilities, information regarding their safety and concerns about environmental damage caused by accidents, needs to be updated and addressed. We should not discount their use based on old information regarding these concerns. They are currently unpopular, but an effort to use the best science available on them should be made.

Small Nuclear Reactors – Again, the best science available should be used to examine the impacts of this option. I share the concerns expressed by others regarding the use of nuclear power and the resulting long-term waste.

Renewable Fuels – There are many types of renewable fuels. Please analyze them separately for impacts to the environment, farmland and residential areas.

Wind – Wind power has evolved dramatically in the past decades. Please include the possible use of wind power in options for the county. It is imperative that wind generators are sited to minimize bat and bird deaths. Installations should also be required to use designs that reduce animal strikes.

Thank you for your consideration,

Brenda Cunningham

Lavelle E. Pilon

From: Henson, Shaun <Shaun.Henson@cngc.com>
Sent: Tuesday, June 16, 2026 1:48 PM
To: PDS comments
Subject: Energy Siting and Permitting EIS Scoping Comment - Cascade Natural Gas
Attachments: CNGC_CESP_Comments.pdf

Good afternoon,

Attached is Cascade Natural Gas' comments on the CESP project.

Please feel free to reach out with any questions.

Best regards,

Shaun Henson
Community Affairs Representative
Cascade Natural Gas Corp.
C: 360-477-6959
Shaun.Henson@cngc.com
www.cngc.com

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June 16, 2026

Robby Eckroth, AICP
Senior Planner
Skagit County Planning and Development Services
1800 Continental Place
Mount Vernon, WA 98273

Re: Energy Siting and Permitting EIS Scoping Comment — Skagit County Clean Energy Siting and Permitting Project (Determination of Significance issued May 14, 2026)

Dear Mr. Eckroth:

Cascade Natural Gas Corporation (Cascade) appreciates the opportunity to comment on the scope of the Programmatic Environmental Impact Statement (EIS) for Skagit County's (County) Clean Energy Siting and Permitting (CESP) project. Cascade is the certificated natural gas distribution utility serving Skagit County¹, including customers within the unincorporated areas and urban growth areas subject to the County's land use jurisdiction. The Company serves customers in and around the communities of Mount Vernon, Burlington, Sedro-Woolley, Anacortes, and La Conner.

Because this EIS and the resulting development regulations will govern energy facility siting in unincorporated Skagit County, Cascade's distribution system and decarbonization programs are directly relevant to the geography the County is studying. Cascade supports the County's objective of establishing clear, consistent standards for clean energy development and offers the following comments on the scope of the EIS and the structure of the County's engagement process.

Cascade's Clean Energy Investments

Cascade is actively investing in the decarbonization pathways the County proposes to study. As of December 31, 2025, RNG projects have injected more than 4.8 million therms of Renewable Natural Gas (RNG) into Cascade's system. These supplies are sourced from RNG projects interconnecting with Cascade's in-region distribution systems, including the Horn Rapids Landfill and Lamb Weston agricultural biogas recovery facility in Richland, Washington, and the City of Pasco's Process Water Reuse Facility in Pasco, Washington. Cascade is also evaluating hydrogen renewable thermal certificates (RTCs) and thermal energy networks as part of its integrated resource planning process, consistent with the Company's obligations under the Washington Climate Commitment Act (CCA).

1. "ArcGIS Web Map." *ArcGIS*, n.d., <https://wutc.maps.arcgis.com/apps/instant/basic/index.html?appid=336a5d97a5e440c48d35182cc2ba7b70>.

Cascade’s direct experience siting and interconnecting RNG facilities, and our exploration of other relevant technologies — particularly in coordination with Washington local governments — informs the comments that follow. We offer this experience as a resource to the County and its EIS consultant.

Comments on the Scope of the EIS

The Determination of Significance and the project memorandum identify four clean energy types for evaluation: solar energy, battery energy storage, small modular reactors, and renewable fuel. Cascade supports the inclusion of these clean energy types and offers the following recommendations to ensure the EIS captures the full range of reasonable clean energy alternatives. Cascade respectfully requests that the Action Alternative be expanded to reflect the recommendations below.

- 1. Expand the renewable fuel category to address the full renewable natural gas value chain.** Cascade supports the County’s inclusion of renewable fuel as a clean energy type and appreciates that the work session materials illustrate this category with a local example — Sedron Technologies’ Omni Processor in Sedro-Woolley. The same logic supports studying the complete RNG value chain. The EIS should expressly include landfill gas collection systems and anaerobic digesters at dairy, agricultural, food-waste, and wastewater treatment sources; biogas conditioning and upgrading equipment; pipeline interconnection facilities and other required infrastructure; and injection points into the existing natural gas distribution system. RNG is recognized under Washington law (RCW 80.28.385) and qualifies as a compliance resource under the Climate Commitment Act. Beyond emissions reduction, RNG development offers the County tangible co-benefits: it provides a productive use for existing resources such as landfill gas, wastewater, dairy manure, agricultural residue, and diverted food waste; supports the rural agricultural economy; and advances local waste-management goals. Studying the full value chain — not only the conversion step — will materially reduce permitting uncertainty for projects of the type Cascade has recently brought online in Longview and Richland.
- 2. Add thermal energy networks as a studied clean energy type.** Thermal energy networks (TENs) — including networked geothermal systems, sewer and wastewater heat recovery, and process waste heat recovery — are authorized for gas companies under RCW 80.28.450 (enacted by ESHB 2131, 2024) and are the subject of an active Washington State Department of Commerce Thermal Energy Networks Pilot Program available to gas companies. As a gas company, Cascade is eligible to develop TEN pilot projects within its service territory and is evaluating these systems as part of its resource planning. TENs raise siting questions directly analogous to those the County proposes to study for solar and battery storage — borefield drilling, central plant siting, right-of-way use, and integration with wastewater treatment infrastructure — and are well suited to programmatic review. TENs also deliver benefits aligned with the County’s goals: they provide district-scale decarbonization that can reduce incremental load on the electric distribution system. TENs further supports the enabling statute which expressly contemplates the use and transition of the existing natural gas workforce. Cascade recommends that TENs be added as a clean energy type, or as a defined sub-element of the Action Alternative, with corresponding analysis of siting criteria, impacts, and mitigation measures.

3. **Analyze clean energy development in relation to existing gas distribution infrastructure.** Several of the clean energy types under study — RNG by definition, renewable hydrogen by chemistry, and biogas-derived renewable fuels generally — rely on or interact with the existing natural gas distribution system for delivery to end users. The work session materials appropriately use Puget Sound Energy’s electric hosting capacity map to frame electric-side siting considerations. The EIS should similarly account for the location and capacity of Cascade’s gas distribution system when evaluating where renewable fuel facilities may be appropriately sited, including proximity to distribution mains and interconnection feasibility. Cascade can provide infrastructure data to support this analysis.
4. **Align the EIS with applicable state policy and equity frameworks.** The EIS should expressly reference and align with the Climate Commitment Act (chapter 70A.65 RCW), the Clean Energy Transformation Act (chapter 19.405 RCW), RCW 80.28.385 (renewable natural gas), and RCW 80.28.460 (thermal energy networks). Consistent with the Washington Environmental Justice (HEAL) Act (chapter 70A.02 RCW) and the equity criteria embedded in the Department of Commerce CESP grant, the EIS should also consider the distributional effects and community benefits of the clean energy pathways studied — including public health and air quality benefits in overburdened communities. Where the EIS identifies potential conflicts between local regulation and state-level obligations, those should be flagged for resolution before code adoption.

Procedural Requests

In addition to the substantive scoping comments above, Cascade respectfully requests the following:

1. **Representation of the natural gas utility on the Clean Energy Advisory Group.** The advisory group composition reserves a seat for Puget Sound Energy, the certificated electric utility for the area. Cascade respectfully requests that the County similarly include a representative of the natural gas utility serving the affected area. Because the EIS will study renewable fuels — including RNG, which interconnects directly with Cascade’s distribution system — gas-utility representation would ensure the advisory group has access to relevant subject-matter expertise. Cascade is prepared to commit the staff time necessary to participate in the meetings scheduled between June and November 2026.
2. **Inclusion in the small group interview process.** Cascade requests inclusion as a subject-matter participant in the small group interviews referenced in the project memorandum, particularly on topics relating to RNG, hydrogen, and thermal energy networks. The Company can offer technical input on feedstock characterization, interconnection requirements, facility siting considerations, and mitigation measures derived from its RNG portfolio.
3. **Stakeholder distribution list.** Cascade requests our inclusion on the project stakeholder distribution list to receive notice of draft documents, meeting agendas, open house events, and comment periods throughout the EIS and code adoption process.

Offer of Technical Assistance

Cascade is prepared to offer technical assistance to the County and its EIS consultant, including existing gas distribution infrastructure data within Skagit County; RNG feedstock potential associated with agricultural, food-processing, landfill, and wastewater treatment sources in the region; thermal energy network siting and operational considerations; and mitigation measures developed in connection with Cascade's permitted and operating RNG projects in Washington and Oregon. We welcome the opportunity to support the County's work in a manner that contributes to well-designed clean energy code.

Thank you for the opportunity to comment on the scope of the EIS. Cascade looks forward to continued engagement throughout the CESP project. Please direct any questions regarding these comments to the undersigned.

Sincerely,

Shaun Henson
Community Affairs Representative
Cascade Natural Gas Corporation
360-477-6969 / shaun.henson@cngc.com

cc: Skagit County Board of County Commissioners; Skagit County Planning Commission

From: Ellen Bynum <skye@cnw.com>
Sent: Tuesday, June 16, 2026 2:22 PM
To: PDS comments
Cc: Commissioners; T. Candler - gmail; Angela Day - gmail; Patsy Good - gmail; Xuhua Mu; Tim Raschko - gmail; Joe woodmansee - gmail; Kiera Wright - gmail
Subject: Energy Siting and Permitting EIS Scoping Comment
Attachments: Comments FOOSC to PDS re- Clean Energy Advisory Group 061626.pdf

Friends of Skagit County Comments
Skagit County Clean Energy Siting and Planning Project

June 16, 2026

Robby Eckroth, AICP, Senior Planner
Skagit County Planning and Development Services
1800 Continental Place
Mount Vernon, WA 98273

RE: Energy Siting and Permitting EIS Scoping Comment

Dear Robby:

Thanks for letting us know about the opportunity to comment on the Skagit County Clean Energy Siting and Permitting program funded by Washington State's Climate Commitment Act with a Department of Commerce (DOC) Clean Energy Siting and Permitting CESP-CLEANENERGY25 RFA Contract NUMBER: 25-55202-006, for Skagit County Clean Energy Siting and Planning, dated 02/01/2026 – 06/30/2027 in the amount of \$770,000.00. The location for the program is unincorporated Skagit County.

We understand the milestones in the contract each have deliverables which must be completed to DOC's satisfaction. The contract states "...In the event of an inconsistency in this Contract, the inconsistency shall be resolved by giving precedence in the following order...." and lists Applicable federal and state of Washington Statutes and regulations first followed by a list of contents of the grant. We mention this due to the public concern that prior energy projects like the BESS proposal at Sedro Woolley were reviewed at two meetings held consecutively by EFSEC in Sedro Woolley and no other opportunities for comment were available. Further whether EFSEC has authority to site energy projects without consideration of other state laws that guide environmental and land use activities, such as the Growth Management Act (GMA), is also a concern.

We understand Skagit County does not have a county-wide lands capacity analysis that would include current or prior permitted clean energy projects. Please consider a way to consider these projects in using any data or analysis which may not include these contributions. In setting and meeting the milestones and in evaluating both short and long term goals of the program, the baseline data should include existing clean energy projects. Further, the data should be based on Skagit's lands capacity which due to its rural economics may be very different to similar counties in WA State. Please do not use siting criteria for these projects without consulting with the Citizen Advisory Group (CAG), other key interest groups who may have historical information about a particular type of proposed energy and the public.

A goal of the program is to consider “direct and meaningful benefits to vulnerable populations”. The associated map on the DOC website shows approximately half of Skagit County, primarily the eastern part of the county, to be considered “overburdened communities” which are to be considered for 20% of the project funding. DOC determined whether an expenditure benefits the overburdened communities and vulnerable populations using guidance developed by the Governor’s Office and Office of Financial Management (OFM). Additional areas identified on the DOC map include parts of Mount Vernon and tribal reservations. Continued consultation with citizens who live, work and use public and private facilities and services in these areas will be key to developing the policies and codes to reflect this DOC goal.

The project phases include community engagement, Draft EIS scoping and selection of alternatives, Draft and Final EIS preparation, and Development code and building code changes. We assume there will be continuing opportunities to comment on the program as various phases are initiated and completed. The Project Short Description says:

“...Skagit County will develop a programmatic State Environmental Policy Act (SEPA) Environmental Impact Study (EIS) [to] study the alternatives on areas of Skagit County which may be the most conducive for clean energy while also focusing on protection of agricultural and forest lands of long-term commercial significance. This project serves prospective clean energy developers that are interested in developing clean energy facilities in Skagit County and electric utility users in Skagit County and the greater region. The project aims to develop code criteria to create clear permitting application requirements and help streamline the permitting process of clean energy projects. Application requirements can draw from the EIS to include information upfront reports to identify and mitigate potential project impacts...”.

Because Skagit County has managed to conserve its Natural Resource Lands the continued protection and availability of these lands, including agricultural soils, forested parcels and mineral resource lands is paramount to Skagit’s continued economic success. We consider projects which convert these lands to other uses to be in violation of the GMA and therefore would not be considered for inclusion in this planning. We do not include projects which may be added to existing infrastructure on NRLs, for example, appropriate solar on residential or agricultural roofs, related battery storage if needed, or additional projects not involving conversion of the uses to uses not permitted under GMA, Shorelines or other environmental regulations, Skagit County Comprehensive Plan, Critical Areas Ordinance or other policies, maps or codes.

As stated in Skagit County’s Environmental Impact Statement (EIS) Scoping Fact Sheet for this project a Programmatic EIS under the State Environmental Policy Act (SEPA) evaluates the environmental effects of broad, planning-level proposals, rather than site-specific projects. The EIS Provides enough detail to compare proposed planning alternatives to assess effects, and, where appropriate, develop broad mitigation strategies. Communities and organizations can comment on

these proposed planning alternatives after the review of possible lands analysis, locations and other required DOC data and development by the Citizens Advisory Group, PDS staff, including a review of public comments.

We urge you to consider criteria that require the clean energy projects to be at appropriate scale for the proposed location as well as the outcomes of these developments and how they will affect, change or hamper the existing local economies. We consider off-site mitigation to only be appropriate if there is no other available location and we urge PDS to include criteria that does not give advantages to developers to use mitigation without considering overburdened communities as well as the rest of the public. We request that PDS please weigh the short and long-term outcomes of each criteria used to create the alternatives and choices against the current economic and environmental factors.

Using the increased cost to the project as an excuse for inappropriate placement of a project is not acceptable as it almost always promotes mitigation as a way to permit projects, that may not have been permitted had mitigation not be available. WAC 197-11-400 Purpose of EIS states:

(4) The EIS process enables government agencies and interested citizens to review and comment on proposed government actions, including governmental approval of private projects and their environmental effects. This process is intended to assist the agencies and applicants **to improve their plans and decisions, and to encourage the resolution of potential concerns or problems prior to issuing a final statement.** An environmental impact statement is more than a disclosure document. It shall be used by agency officials in conjunction with other relevant materials and considerations to plan actions and make decisions. **Emphasis added.**

The energy uses being studied include solar energy facilities, battery energy storage facilities, small modular nuclear facilities and renewable fuel facilities. We did not see wind energy generation that is not a utility-scale listed as eligible for consideration. It is important to note that not having detailed policies and codes for new activities, or a process, including public comments, to prevent inappropriate siting, has in the past, created losses of resource lands. We support adding policies and codes with well-defined criteria now, even if it requires future revisions and resources to complete.

We do not believe small modular nuclear facilities would be acceptable to the citizens of Skagit County given the history of opposition to traditional nuclear facilities in the county. Similar concerns over disposal of contaminated materials, water and land would need federal guarantees and a program for managing operational pollution, waste and risk to be acceptable.

Please add state and national parks, designated natural areas and public rights of way to your list of Scoping Focus areas under Land Use.

[Type here]

RCW 43.21F.100 Clean energy facilities – Distributed energy priorities lists categories of clean energy facilities and nonprofit activities that reduce environmental impacts and are determined to constitute distributed energy priorities. Please add these categories for review and consideration except for (viii) As an agrivoltaic facility.

We consider an agrivoltaic facility a conversion of Agricultural – Natural Resource Lands. This is prohibited under the GMA. The long-standing practice of farmers swapping land annually to maintain distance between crops to prevent cross-pollination, reduce pesticide use and the use of specific management and harvest activities, especially for seed crops will be compromised by reducing the total available parcels for other uses. For this reason we oppose inclusion of agrivoltaics facilities on farmland and forestland and other conversions that reduce economic viability.

Under (e) Programs that reduce electric demand, manage the level or timing of electricity consumption, or provide electricity storage, renewable or non-emitting electric energy, capacity, or ancillary service to an electric utility and that are located on the distribution system, any subsystem of the distributions system or behind the customer meter, including conservation and energy efficiency; and (f) Programs that reduce energy demand, manage the level or timing of energy consumption, or provide thermal energy storage should be included and applied to the selected Scoping Focus areas.

We note that the categories of clean energy facilities identified as distributed energy priorities under ((2)(b) **does not include any development sites or activities prohibited under other state or federal laws. Emphasis added.**

In addition to suggestions mentioned above, we request the CAG and staff consider the following recommendations in their review scoping, selection of and elimination of potential areas eligible for location of clean energy projects and subsequent creation of new policies and code revisions and additions. These are in random order and unranked.

Include existing clean energy projects in determining goals and milestones for these projects.

Use Department of Commerce and Department of Energy rules and integrate these into proposed policy changes and code revisions/additions.

Create a scale for ranking proposed clean energy projects or use an existing scale appropriate in a rural county.

Calculate the cost of community services for these projects.

Use the lands analysis and available data to determine potential areas of Skagit County that would meet the criteria for “overburdened” communities and determine a process for evaluation of future proposed projects.

Add a calculation of externalities and associated costs in the permit application.

Calculate the value of “community services” created by each project and create a cumulative index of the positive values as well as the costs of each proposed project. Make this data available to the public as early as possible in the permitting process so both developer and the public know these outcomes if the clean energy development project moves forward.

Reject projects with higher environmental damage risks.

For example, runoff of chemicals used to manage BESS fires cannot be captured, cleaned up or mitigated to restore a site to previous environmental standards. Look downstream at potential risks when sites are near waterbodies, critical areas, creeks, streams or rivers.

Review existing codes and identify gaps where new or revised code for clean energy projects need to be added.

Minimize or prohibit mitigation. Use mitigation only where the public benefit and public support of a clean energy project do not cost more now or in future to taxpayers. Tie mitigation policies to risk management and require no environmental or economic damage from each project.

Evaluate conservation of energy aspects (additions and risks) of each scoping area. Develop a scale for ranking projects and apply criteria in evaluating the siting for these projects.

The best outcome in adding new clean energy facilities in Skagit County is to reduce energy use, support overburdened communities in transitioning to reduced energy use, enhance natural resource production with projects that directly benefit Skagit’s economy and avoid mistakes that may be made when the revenue from permitting is valued more than a sustainable, clean energy economy.

Should you want additional information or clarification, please contact me at 360-488-3244.

Thanks very much,

[Type here]

Friends of Skagit County Comments
Skagit County Clean Energy Siting and Planning Project

Ellen Bynum, Executive Director
Friends of Skagit County
PO Box 2632
Mount Vernon, WA 98273-2632

cc: Skagit County Commissioners; Skagit County Planning Commission; Randy Good, President, Friends of Skagit County.



Interagency Agreement with

Skagit County Planning and Development Services Department

through

**Clean Energy Siting and Permitting
CESP-CLEANENERGY25 RFA**

**Contract Number:
25-55202-006**

For

Skagit County Clean Energy Siting and Planning

Dated: 02/01/2026

Friends of Skagit County Comments
Skagit County Clean Energy Siting and Planning Project

Lavelle E. Pilon

From: MARYLEE CHAMBERLAIN <marylee@svcea.org>
Sent: Tuesday, June 16, 2026 2:34 PM
To: PDS comments
Cc: Mary Lee Chamberlain
Subject: "Energy Siting and Permitting EIS Scoping Comment"
Attachments: _Comments for Clean Energy EIS.pdf

Thank you for this opportunity to provide public comments on the EIS scoping process for Clean Energy Siting and Permitting in the county.

I am submitting comments and considerations for each energy source being evaluated with the attached document.

MaryLee Chamberlain

To: Skagit County Planning and Development Services
Re: Clean Energy Siting and Permitting Environment Impact

Comments for Clean Energy Siting and Permitting EIS
Provided by: MaryLee Chamberlain 614 S. Third St. La Conner, WA
98257

Introduction: I appreciate the opportunity to submit comments for consideration with the scoping for this PEIS Clean Energy Review.

Thank you for the opportunity to provide comments on the Clean Energy Siting and Permitting Environmental Impact Statement (EIS). This effort represents an important opportunity for Skagit County to develop a science-based framework that supports clean energy development while protecting the environmental, agricultural, cultural, and community resources that define the County.

Washington State has established ambitious clean energy and greenhouse gas reduction goals through the Clean Energy Transformation Act (CETA), the Climate Commitment Act (CCA), and related state policies. These laws recognize that achieving a reliable, affordable, and carbon-free energy system will require deployment of a diverse portfolio of clean energy resources, including solar energy, battery energy storage systems, distributed energy resources, renewable fuels, transmission infrastructure, and other emerging technologies.

At the same time, clean energy development must be carefully planned to minimize impacts on productive agricultural lands, critical habitat, water resources, Tribal treaty rights, cultural resources, and overburdened communities. The purpose of this EIS should be to identify pathways that enable responsible clean energy development while maintaining strong environmental protections and meaningful community engagement.

Skagit County is uniquely positioned to contribute to Washington's clean energy transition. The County possesses significant renewable energy resources, a strong agricultural economy, nationally important salmon and marine ecosystems, and deep cultural and historical connections to Tribal communities. These characteristics require a balanced approach that recognizes both the urgency of climate action and the importance of preserving the natural and cultural resources that sustain local communities.

As the County evaluates potential siting and permitting pathways, priority should be given to technologies and locations that provide substantial climate, reliability, and

economic benefits while avoiding or minimizing environmental impacts. Distributed Energy Resources (DERs), rooftop and parking-lot solar, community solar, battery storage paired with renewable energy, and projects located on previously developed or disturbed lands often represent opportunities for streamlined permitting because their environmental impacts are generally well understood and can be effectively mitigated through established standards and best management practices.

The comments below are intended to support a comprehensive EIS that evaluates both the benefits and potential impacts of clean energy technologies, identifies appropriate mitigation measures, and provides a clear permitting framework that advances Washington State's clean energy goals while protecting the environmental and community values that are essential to Skagit County's future.

Solar:

Land Use - Recommend full analysis with inclusion in the continuum of options from small scale to large-scale solar that might be most appropriately sited on commercial and industrial rooftops, parking lots, and previously disturbed land in the County. It is understood that utility scale solar siting is likely limited within the unincorporated county given the restriction on Agricultural Natural Resource Lands.

Skagit County has significant protections for agricultural land as outlined in the GMA and Comprehensive plan and given the unique nature of the valley it plays an important role in providing prime farmland at a global scale. Protections for this unique natural resource is essential but given the economic challenges of sustained farming a possibility for considering agrivoltaics at some point in the future seems prudent. This option may be applicable to agricultural land that specifically includes consideration of low productivity farmland while maintaining continued strong protections for productive/prime farmland.

Mitigation Consideration for Agricultural Land: This might include providing a range of options that allow agriculturally zoned land to offset their energy needs with expedited permitting with solar and storage on existing buildings, and possible dual-use (agrivoltaic) designs that allow compatible farming beneath and around solar arrays. Recommended review of the feasibility study work on agrivoltaics in Washington state completed by WSU, Nature Conservancy, American Farmland Trust. The consideration of opening up agricultural land under certain conditions could assist farmers with developing economic sustainability options to balance out the significant challenges of rising costs, climate change, legacy security, etc. It is understood that this topic is multilayered in stakeholders and regulatory entities.

Land Use (continued): In the case of ground-mounted PV arrays:

Mitigation Consideration: Flat to moderately sloped ground surfaces (areas with 15% or less slopes) would be best for utility-scale solar and within 25 miles of existing transmission lines. Vegetation under and between ground-mounted solar panels should be required to minimize soil erosion.

Distributed energy resources (DERs) which include rooftop solar, parking lot solar canopies, community solar projects, battery energy storage systems, microgrids, and other customer-sited energy resources located close to the point of electricity consumption should get priority consideration with solar siting and permitting given the notable benefits.

From a land-use perspective, DERs can provide significant renewable energy generation while minimizing conversion of undeveloped land and agricultural resources. Commercial rooftops, industrial facilities, schools, public buildings, parking lots, and other previously developed areas represent opportunities for solar deployment that may reduce impacts to farmland and habitat.

Land use exclusions for large-scale solar projects: Tribal reservation and trust lands, National parks and wilderness areas, and wildlife refuges; Washington state parks; Unincorporated areas zoned as urban, residential, or rural-residential 5-acre; and unincorporated urban growth areas Agricultural natural resource zoned lands. It is understood that 100kW systems or less qualify as a permitted accessory use throughout the county.

Biological - Full consideration for protecting habitats, vegetation, and wildlife that might require setbacks with a ground-mounted PV array. Specific analysis for wildlife migration pathway impact and use of native and perennial plants to assist with erosion control and provide a pollinator opportunity.

Visual and Cultural - Glint and glare considerations for wildlife, birds, scenic areas, historic and cultural resources. Photovoltaic panels are specifically engineered to absorb sunlight rather than reflect it and studies conducted for airports and military facilities have found that glint and glare impacts are generally low when projects are properly designed and evaluated using established glare analysis tools. Additionally, site-specific glare studies should be required where solar facilities may affect transportation corridors, wildlife habitat, scenic resources, or cultural landscapes. Tribal commitment to solar, as well as solar plus storage, is significant in the valley and is consistent with Tribal community environmental and cultural values.

Mitigation: Glare reduction technology can be utilized to reduce environmental impact, and planting under solar panels that consist of native plants and pollinators can also support environmental diversity.

Overburdened communities - Scaled Community solar projects can provide benefits for reducing climate impacts as well as economic support in overburdened communities. DER systems can also improve community resiliency by reducing dependence on centralized infrastructure and providing localized power during grid disruptions when paired with battery storage and microgrid technologies. These benefits are particularly important for rural communities, Tribal communities, critical or essential service facilities, emergency response infrastructure, and schools.

Community solar or shared solar projects should receive specific consideration for streamlined permitting because of their potential to expand access to renewable energy for renters, low-income households, and property owners whose sites are not suitable for solar installations. These projects can support environmental justice objectives while distributing economic and energy benefits more broadly throughout the greater community.

Water and hydrology - The floodplain in this County deserves consistent monitoring for changes and may have relevance to siting solar projects. The EIS should evaluate floodplain locations on a site-specific basis rather than excluding all floodplain areas categorically. Analysis should consider flood frequency, boundaries, wetland presence, salmon habitat, erosion potential, and climate-driven increases in flood risk. Projects proposed within FEMA-designated floodways or high-value ecological floodplain areas should generally be avoided. The EIS could distinguish between the broader FEMA floodplain and the more sensitive floodway, estuarine, wetland, and salmon habitat areas where solar development would be inappropriate. It is noted that a great deal of open land in the floodplain is zoned agricultural.

Mitigation measures may include elevating electrical equipment above base flood elevations, minimizing fill, maintaining native vegetation, preserving flood storage capacity, and avoiding wetlands and riparian corridors.

Decommissioning - Decommissioning of PV systems responsibly, with the addition of a recycling requirement, can assist in reducing potential environmental impacts. Essentially the EIS should evaluate end-of-life management requirements for photovoltaic panels, including recycling pathways for glass, aluminum, silicon, and other recoverable materials. The establishment of decommissioning security requirements

and recycling plans at project approval can help ensure long-term environmental protection and site restoration.

No Action Alternative: If the solar energy option is not increased or optimized in the county, then there will be a reduction in climate benefits and resiliency. Failure to fully consider DER deployment opportunities can underestimate the renewable energy generation potential available through existing developed lands and would limit opportunities to improve community resiliency, reduce transmission constraints, and expand equitable access to clean energy resources.

Proposed Action Alternative: See Agricultural land use consideration with mitigation suggestions in the land use section above.

Overall, solar is a proven technology that is expanded in value with a storage option. It is a cost-effective source of renewable energy with only minor to moderate environmental impacts when implemented with best management practices and minimization and mitigation efforts. Adoption of streamlined permitting is recommended for solar installations particularly as it applies to DER and community solar applications.

Battery Energy Storage:

The continuum of battery storage systems from commercial and industrial to utility scale requires different considerations. Battery energy storage is an essential component to extending the benefits of renewable energy and enhancing reliability and resiliency for meeting energy demands. Given the current safety standards and significant advancements in the technology, assurance of compliance with the updated standards is critical for deployment. Large scale battery energy storage systems will require specific considerations for siting and permitting.

Land Use - For large scale BESS the proximity to a substation would be optimal. Commercial and Industrial BESS placement should be in proximity to the renewable energy sources it will be linked to for storage. Essentially, prioritized sites for large scale battery energy storage should include industrial properties, substations and brownfields.

Avoidance of critical habitat, wetlands, floodways, and other environmentally sensitive areas and with proximity to access roads and site layouts that support emergency response operations.

Environmental Health and Safety - Battery Energy Storage Systems (BESS) are becoming one of the more extensively studied emerging energy technologies with respect to fire safety, thermal runaway behavior, emergency response, and

environmental risk management. The principal hazards associated with battery storage systems have been identified, analyzed and addressed with a comprehensive framework of nationally recognized testing standards, fire codes, installation requirements, and operational procedures. Battery energy storage systems are subject to nationally recognized safety standards including UL 9540 for Energy Storage Systems, UL 9540A thermal runaway fire testing, NFPA 855, and the International Fire Code. Both the NFPA 855 and UL9540 now have 2026 editions. Codes consistent with these standards should be required as part of the county permitting framework. These standards incorporate mitigation measures including thermal runaway prevention, fire detection, emergency ventilation, system spacing, emergency response planning, and firefighter training.

An outcome of these standards is that project developers, permitting agencies, fire officials, and emergency responders now have access to substantial testing data regarding fire behavior, gas emissions, thermal impacts, separation distances, and emergency response considerations.

The EIS can consider emergency response planning readiness in conjunction with the County Fire Marshal office. This will likely influence training requirements, mutual aid coordination, and ongoing engagement with local fire districts to ensure responders are prepared for emerging battery technologies. This will need to be uniform throughout the county and recommendations from the State level Fire Marshal office can be referenced for updated training recommendations.

In the event there is a need to address a fire situation, environmental impacts can be effectively mitigated through compliance with nationally recognized safety standards and established emergency management practices. This is necessary to address the battery specific compounds. As reported in the Massachusetts Executive Office of Energy and Environmental Affairs fire byproducts from BESS incidents are considered to be largely similar to those produced in conventional house and structure fires, and monitoring has generally not identified contaminant concentrations beyond the immediate fire scene that pose a public health risk.

Overall, the EIS should acknowledge that, while battery energy storage systems require appropriate siting, emergency planning, and code compliance, the primary environmental and safety risks associated with these facilities are generally well described and should be effectively mitigated through adherence to UL 9540, UL 9540A, NFPA 855, International Fire Code requirements, as well as applicable state and local regulations.

Battery technologies are evolving and future safety and environmental profiles may differ from currently reviewed and deployed systems. At this time sodium-ion battery technologies are entering commercial deployment and may offer advantages related to material availability, supply chain diversification, and diminished safety concerns as it relates to thermal runaway.

Mitigation Consideration: Inclusion of an operational and maintenance requirement with routine inspection; monitoring and reporting systems that can identify potential issues in a proactive manner and periodic review of emergency procedures.

Biological: Habitat disruption could be mitigated with siting that excludes critical areas and alternatives.

Visual and Cultural - Battery systems resemble other forms of energy infrastructure. Visual screening can be utilized to address aesthetic concerns, but this should not be a significant impact area.

Water and Hydrology - Battery systems are dry with no large liquid to spill, and the electrolyte is absorbed within the battery cells. Standard designs can include a secondary containment to contain any water or coolant that may be used in conjunction with fire suppression. This should not be a significant impact area.

Environmental Justice Distributed and community-scale battery storage can improve grid resiliency, reduce outage impacts, and support critical facilities during emergencies. These benefits may be particularly valuable for rural communities, Tribal communities, and overburdened populations that experience higher vulnerability to power disruptions. It is noted that the Swinomish tribal community has sought out considerable grant funding to support community-scale BESS units to support microgrid development and community resiliency goals.

Decommissioning: The EIS should establish decommissioning requirements to ensure BESS facilities are safely removed at the end of their useful life and sites are restored to protect public health, safety, and the environment.

Mitigation Consideration: Prior to construction, applicants shall submit a decommissioning and site restoration plan, including a third-party cost estimate and financial assurance mechanism sufficient to cover the full cost of equipment removal, battery recycling or disposal, hazardous material management, transportation, and site restoration. Financial assurance shall remain in effect for the life of the facility and be periodically adjusted to reflect changing costs and technologies.

Requirements can include the provision of a Decommissioning Plan that outlines all equipment to be removed, including batteries, containers, foundations, electrical equipment, wiring, fire suppression systems, and associated infrastructure, along with a timeline for removal and site restoration with an independent cost estimate prior to permit approval. Financial assurance, could consist of a bond or letter of credit, which is periodically updated to ensure adequate funding throughout the life of the project.

Emphasis should be placed on battery recycling and disposal. The EIS should encourage recycling and reuse of battery materials whenever feasible. The decommissioning plan should identify anticipated recycling, repurposing, or disposal pathways consistent with applicable regulations.

Consideration of site restoration - Disturbed areas should be restored to a condition compatible with surrounding land uses, including removal of equipment, soil stabilization, revegetation, and restoration of agricultural productivity where applicable.

Battery removal, transport, storage, and disposal should comply with all applicable hazardous materials and waste management regulations. This plan will reflect compliance with the local county AHJ, alignment with the International Fire Code (IFC), as well as NFPA 855 standards and the Washington Department of Ecology waste management requirements. In some cases this may also require alignment with Washington State Energy Facility Site Evaluation Council (EFSEC) with large scale battery installations.

Because battery technologies and recycling practices continue to evolve, decommissioning requirements should be periodically reviewed and updated to reflect current best practices and regulatory standards.

No Action Alternative: If not addressed with updated siting and permitting for BESS, then there will be a reduction in climate benefits and resiliency improvements for Skagit communities.

Small Modular Reactors: Small Nuclear Reactors represent an emerging technology with respect to scale. Considerations for land use, visual resources, air quality (including greenhouse gas emissions), noise, waste management, socioeconomics, fuel cycle, transportation, decommissioning, and accidents need to be strongly emphasized.

Land Use - Because SMRs remain an emerging commercial technology in the United States, substantial uncertainty remains regarding construction timelines, operational costs, fuel cycle logistics, waste management, and emergency planning requirements. The EIS should evaluate these elements explicitly.

Additional consideration for seismic hazard mapping, flooding, and resilience against extreme weather events such as wildfires.

Water and Hydrology: The EIS must thoroughly evaluate the project's total consumptive water use. Specifically, analyze how cooling water requirements or facility operations will impact local aquifers, the Skagit River, and tributaries as well as other water resources. Consideration of agriculture needs for clean water, as well as salmon and shellfish impacts should be specifically evaluated. A precautionary or conservative approach should be applied to evaluating water consumption and thermal discharge impacts given the significance of salmon recovery efforts, shellfish, agriculture and the Tribal treaty protected resources.

Environmental Health and Safety - Emergency response and transportation infrastructure would need to be a considerable component of this energy fuel analysis area. An assessment of the long-term impacts on local emergency services with an evaluation of the training, equipment, and funding required is recommended. Also, the specific transportation safety protocols for moving components and materials along public roadways should be an additional consideration.

Emergency evacuation plans will have to be emphasized in siting with clear pathways developed and reflective of inclusive consideration regarding the population, geography, and emergency response infrastructure.

Land Use:

Hazardous Waste Management: Fusion waste management focuses on handling tritium and neutron-activated metal components rather than long-lived spent fuel as is the case for fission reactors. Specific considerations are necessary for the following situations:

Tritium Leakage: Tritium is a radioactive isotope of hydrogen that has a short half-life of approximately 12.3 years. The EIS should address accidental releases and the long-term containment of tritium gas in order to prevent groundwater or atmospheric contamination.

Neutron embrittlement: High-energy neutron streams that bombard structural materials in SMRs can cause severe physical degradation, creating low-level radioactive waste and requiring frequent, highly-monitored replacement and disposal of reactor components.

Parasitic power drain: Fusion plants can consume a significant portion of the electricity they generate just to maintain the required cryogenic temperatures and electromagnetic fields. This will impact efficiency and the EIS should analyze this aspect of production to determine benefits.

Cultural and Socioeconomic - Tribal treaty rights with fisheries and cultural resources need to be specifically evaluated with SMR impacts. It is anticipated that significant community engagement and education will be necessary to fully support this emerging energy source as a viable and welcomed addition to the clean energy source menu in the county.

An interface that includes consideration of the state-level Energy Facility Site Evaluation Council (EFSEC) and the federal-level NRC will need to be considered in some applications of SMRs.

Renewable Fuels: This category of renewable energy should be analyzed based on the individual source under review, as renewable hydrogen, biodiesel, biomass, and renewable natural gas would generate different cost-benefit profiles and situational considerations. A few comments will be provided related to the major renewable fuel types listed below:

Renewable Hydrogen:

Washington State completed a Programmatic Environmental Impact Statement (PEIS) for Renewable Hydrogen in June 2025 and the analysis is broad in scope and rich in detail. Renewable hydrogen can be produced using steam-methane reforming, pyrolysis, or bio-gasification processes. The PEIS identified electrolysis powered by renewable electricity as the hydrogen production pathway with the lowest greenhouse gas emissions profile. The study also identified water availability, transmission access, transportation infrastructure, environmental justice considerations, and Tribal consultation as key siting considerations. When green hydrogen is utilized as transportation fuels, industrial heating, and power transmission, it can contribute to a reduction in overall greenhouse gas emissions in Washington.

Land Use - Green hydrogen scaled facilities are likely to be developed in relation to available transmission lines with industrial or industrial-use supported zoning and in proximity to transportation infrastructure. These lands include city and county industrially zoned areas or areas zoned to support industrial uses such as the Port of Skagit County.

Water and Hydrology: Green hydrogen produced with electrolysis is reliant on water and a developer would need to ensure that sufficient amounts of water are available.

Beyond hydrogen production, supply chain, storage, transportation and end-use all have specific impacts and have been described in the following [Washington State Department of Commerce summary](#).

Potential cumulative impacts may arise from pipeline infrastructure, storage facilities, transportation corridors, and industrial demand centers and should be analyzed comprehensively in the EIS.

Renewable Natural Gas (RNG):

Renewable natural gas production is generally most appropriate where methane emissions already exist and can be captured for beneficial use. Locations in Skagit County might include the wastewater treatment plants; agricultural livestock operations; food processing facilities and organic waste stream - consider if this has any application to the transfer station for the landfill and a food waste collection option that includes waste from restaurants, grocery stores, schools etc.

Capturing methane from these sources has the potential to reduce greenhouse gas emissions by preventing direct release of methane. If a developer were to propose a project related to energy generation from the wastestream it should be considered as a potentially value added proposition.

Biomass and Biofuels:

Biomass and biofuel production are generally most appropriate where feedstocks are generated locally and can be managed effectively. Optimal conditions include: Utilization of agricultural residues; Forestry byproducts and forest health treatments; Food processing byproducts; Organic waste streams that would otherwise be disposed of or burned.

These projects should demonstrate sustainable feedstock sourcing and avoid creating incentives for conversion of natural habitats or productive agricultural lands solely for fuel production.

Renewable Diesel and Biodiesel:

Renewable diesel and biodiesel production are generally most beneficial when done by facilities that maximize use of existing industrial infrastructure and transportation networks. It can involve feedstock from Waste oils and fats; Used cooking oil; Agricultural and food processing byproducts.

All energy sources in this renewable fuels category should be examined for greenhouse gas emissions, biological impacts, air quality, environmental justice considerations, health and safety, as well as cultural and tribal interactions.

Streamlined Permitting Consideration

Renewable fuel facilities that utilize existing waste streams, are located within industrially designated areas, and demonstrate compliance with applicable environmental and safety standards may be appropriate candidates for streamlined permitting due to their reduced potential for land use conflicts and environmental impacts.

From: ECY RE NW SEPA (NWRO) <nwsepa@ECY.WA.GOV>
Sent: Tuesday, June 16, 2026 3:57 PM
To: PDS comments
Cc: Butorac, Diane (ECY)
Subject: SEPA202601980- Energy Siting and Permitting EIS Scoping-Comment
Attachments: 202601980_ECYCommentLetter.pdf

Good afternoon,

Thank you for the opportunity to comment on the Skagit County Clean Energy Siting and Planning Programmatic EIS Scoping. Ecology's comments are attached.

[Statewide SEPA Register No. [202601980](#)]

Kayla Maack (she/her)
ERTS & SEPA Coordinator
Department of Ecology | Northwest Region
Report an Environmental Concern [Online](#)



NOTICE: This communication is a public record and may be subject to disclosure pursuant to the Public Records Act (RCW 42.56).



STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

Northwest Region Office
PO Box 330316, Shoreline, WA 98133-9716 • 206-594-0000

June 16, 2026

Robby Eckroth, Senior Planner
Planning and Development Services
Skagit County
1800 Continental Place
Mount Vernon, WA 98273

**Re: Skagit County Clean Energy Siting and Planning Programmatic Environmental Impact Statement
Ecology SEPA# 202601980**

Dear Robby Eckroth:

Thank you for the opportunity to provide comments on the State Environmental Policy Act (SEPA) Determination of Significance (DS) and Request for Comments on the Scope of the Environmental Impact Statement (EIS) for the Skagit County Clean Energy Siting and Planning Programmatic EIS. Based on review of the documents, the Department of Ecology (Ecology) has the following comments:

As directed by the Legislature, Ecology has prepared programmatic environmental impact statements (PEISs) for [utility-scale solar and onshore wind energy facilities and green hydrogen production and storage facilities](#). These were finalized in June 2025 and contain extensive information about the environmental impacts of these types of facilities, as well as measures to avoid, reduce, and mitigate impacts. A fourth PEIS is being developed for [alternative jet fuel production and storage facilities](#). Ecology is available to meet with the County and the Clean Energy Advisory Group to provide information about these clean energy PEISs.

- Under state law (RCW 43.21C.538), the solar, onshore wind, and green hydrogen PEISs must be considered and used during project-level environmental review of applicable projects. Skagit County was not included within the geographic study area for the solar PEIS, but portions of the county are included in the geographic study areas for onshore wind and green hydrogen. The County's PEIS should be consistent with impact findings and the required and recommended measures in Ecology's green hydrogen PEISs. While

the scoping document does not identify onshore wind as one of the energy types to be analyzed, if it is added to the County's PEIS, then the onshore wind PEIS should be included.

- The solar, onshore wind, and green hydrogen PEISs also considered co-located battery energy storage systems (BESS). Portions of that analysis may be applicable and informative to the County as it reviews stand-alone BESS facilities.
- RCW 43.21C.538 requires that projects following the recommendations of the applicable PEIS are considered to have mitigated project-specific impacts, unless the project-level review identifies impacts that were not addressed in the PEIS.
- The County's CESP Project should reference Ecology's PEIS, if applicable, and articulate how an Ecology PEIS will be considered and used by the County during project-level environmental review of applicable projects.

The Departments of Commerce's Energy Resilience and Energy Management office has an [energy safety program](#) with resources on BESS. The State Fire Marshal's Office [Clean Energy Research and Training section](#) also provides resources for first responders. The County should consult with these agencies for the most up-to-date information and practices regarding energy safety.

In addition, while not included in the scoping document, if the County adds geothermal energy to the CESP Project, Ecology is currently leading a [geothermal energy collaborative process](#) to identify the opportunities and risks associated with geothermal energy development. The process has statewide considerations and is focused on areas with greater geothermal resource potential, including the Mount Baker area just north of Skagit County. We are considering conventional and enhanced and advanced geothermal energy systems. Emerging geothermal technologies are expanding the areas where geothermal resources could be developed. The process involves gathering input, considering the potential impacts of development, identifying key siting factors, and conducting a regulatory gap analysis. We will provide findings and recommendations from the collaborative process to the governor and Legislature in an update planned for release June 30, 2026 and in a final report due June 30, 2027. If geothermal energy is considered, the County should consider the information gathered through the collaborative process in its CESP Project. Ecology is available to meet to discuss the geothermal energy collaborative process.

For additional information or to schedule time to meet, please contact Diane Butorac, Shorelands and Environmental Assistance Program at diane.butorac@ecy.wa.gov or (360) 763-2394.

Thank you for considering these comments from Ecology. If you have any questions or would like to respond to these comments, please contact Diane Butorac from the Shorelands and Environmental Assistance Program at the contact information above.

Robby Eckroth
June 16, 2026
Page 3

Sincerely,

A handwritten signature in black ink, appearing to read "Kayla Maack". The signature is written in a cursive style with a large initial "K" and a long, sweeping underline.

Kayla Maack
SEPA Coordinator

Sent by email: Robby Eckroth, pdscomments@co.skagit.wa.us

ecc: Diane Butorac, Ecology

From: Terry Sapp <tfsapp@gmail.com>
Sent: Tuesday, June 16, 2026 4:52 PM
To: PDS comments
Subject: Energy Siting and Permitting EIS Comment II
Attachments: AAB Comments on clean energy EIS.docx

AAB submitted a memo containing comments on the above prior to the close of comments.

It was subsequently noticed that a typo appeared in the last line of the first paragraph where the conjunction "and" was omitted.

Hopefully, the attached copy of the AAB comments with only that correction can be substituted for the prior version.

With regards,

Terry Sapp
206-353-4059

Memorandum

From: Agricultural Advisory Board
To: Skagit County Planning and Development Services
Via email to pdscomments @co.skagit.wa.us
Date: June 16, 2026

Re: AAB Comments to Skagit County Planning and Development Services on Clean Energy EIS

The Agricultural Advisory Board appreciates the opportunity to comment on this initial scoping phase of the Environmental Impact Statement (EIS) regarding clean energy facilities in Skagit County. The AAB recognizes the importance of energy developments suited to meeting growing energy demands throughout the county, region, and nation. Indeed, we are all connected in common through our energy needs and participation in a shared extensive energy grid.

The AAB recognizes its own limited capacity to comment on an energy development program and potential impacts from the four areas identified in the proposal: solar energy, battery energy storage, small nuclear reactors, and renewable no-carbon or low carbon fuel facilities. The AAB is a voluntary organization of members appointed by the Board of County Commissioners with substantial experience and expertise in agricultural matters, but little direct expertise in the kinds of facilities identified in the study.

Input to the EIS is further challenged by the programmatic nature of the clean energy proposal wherein evaluation of a program is underway without identifying specific projects. The objective to discern new policy and, perhaps, new code programmatically, calls for more clarity from experts about the nature of the possible facilities. The AAB has been well aware of actual clean energy projects proposed for battery energy storage facilities. These proposals by developers (not energy companies) have elicited broad public response. AAB has expressed concern about the siting of such actual facilities in the Ag-NRL and has identified the clear conflict with the letter and intent of local land use law.

The current scoping phase of the EIS initiates a process well-defined by the Planning and Development Services Department (PDS), the lead agency, which “may result in updating Skagit County Code (SCC) and/or the Skagit County Comprehensive Plan.” (Request for Comments on Scope of Environmental Impact Statement, May 2026.)

This indication by PDS raises the level of concern and need for careful scrutiny by all affected parties. To submit the siting and permitting process to reevaluation of the basic standards for local control of land use begs for careful observation by the ag community, in particular, even though PDS offers that all such clean energy facilities would not be permitted in the natural resource zones. The existing standard must be upheld within the land use element of scoping.

PDS has determined sixteen elements of the environment for discussion in the EIS. Four of the sixteen suggest a connection to local agriculture—Earth Resources, Water Resources, Energy

and Natural Resources, and Land Use, including agricultural and ranching uses. The water resource of the Skagit River and the water inventory basins upon which agriculture relies clearly pertain to agricultural interests in the scoping phase. Water demands for both energy users and energy producers of newer types of facilities is broadly discussed in media. Which, if any, possible energy facilities in Skagit Valley may create a competing demand on the water resource clarifies its place by PDS among EIS elements. The agricultural industry must be alert to the various impacts and any mitigation of uses of water by energy facilities.

Scoping for EIS involves both the natural and built environment (WAC 197-11). The agricultural industry in Skagit County crosses these boundaries of distinction because it relies on the natural, prime and unique soils of the Skagit Valley and because it uses an extensive constructed infrastructure to generate product, primarily food.

State RCW and WAC provide guidance that an EIS should be narrow in focus and precise when studying impacts. It must avoid insignificant impacts and be directive. However, secondary impacts are not easy to ignore. One secondary impact is both a cause of the energy need and also a result of it – growth. Demographics and economics are closely intertwined. The very energy deficiency the State’s Clean Energy Commitment Act attempts to address emerges from the successes of economic development and local and regional population growth. Healthy communities grow. Additional growth must be anticipated and with it additional energy demands of the kinds central to the county’s siting and permitting initiative. Commercial agriculture itself has a significant industrial need for energy from moving and pumping water to processing and storing food products, among others. For these reasons, agriculture’s stake is fundamental and its place as a producer of food for a growing population and expanding economic base is essential. WAC identifies “population” among environmental elements to be included in EIS studies.

To this end, agricultural interests must keep an eye on the prospects and proposals that would claim space from those lands preserved for production and to prevent them from becoming the target for mitigation choices and trade-offs among resources. Consumption of natural resource lands to mitigate other non-agricultural priorities has a history in Skagit County.

An example of a complex interchange between agricultural land resources and clean energy involves active proposals for solar farms overarching grazing land. Solar collection relies on a metric of space available for sunlight capture, the same sunlight required to produce forage. That natural conflict is highlighted by the long-term conversion of ag lands to grazing uses *only* and thus, the elimination of any crop rotations whatsoever, including the improbability of mechanized farming under the shaded canopy structures.

The PDS request for comment on the clean energy siting and permitting EIS identifies two alternative outcomes: 1) no action or 2) action. The first presumes that the identified new energy facilities could be advanced under existing SCC. Existing land use code conforms to the recent review and update of the County Comprehensive Plan. Both the Comprehensive Plan and code clearly articulate a proscription of non-agricultural uses of natural resource lands, a

set of restrictions also enumerated in the Growth Management Act. Comfort can be found in existing and recently confirmed standards. However, the drive to meet real and new energy needs reinforced by the state law imposed on energy producers suggests a reality where choice number two will prevail – action means new laws.

Both the natural and built environment must garner attention in the EIS such that any eventual policy and code changes do not diminish the natural resource lands in size or in productive capacity.

Through the lens of protection of agricultural resources and also with the ability to contribute to the dialogue about energy developments now, the AAB intends to add helpful input to this important phase of Skagit County history. The place AAB will hold among the members of the new Clean Energy Advisory Group is a prized position that will allow for the AAB and the agricultural interests, at large, to make certain recommendations and respond to this critical policy-making process.

Terry Sapp, Chair
Agricultural Advisory Board

From: Lora Claus <lorac@skagitonians.org>
Sent: Tuesday, June 16, 2026 4:25 PM
To: PDS comments; Robby Eckroth
Cc: Tim Knue; Kim Rubenstein; Audrey Gravley; John Roozen (E-mail); John Anderson
Subject: Energy Siting and Permitting EIS Scoping Comment
Attachments: 2026 0616 Clean Energy Advisory Group_EIS_SPF.pdf

Dear Skagit County Planning and Development Services,
Please find attached comments from Skagitonians to Preserve Farmland as it pertains to Energy Siting and Permitting EIS Scoping.

Thank you for the opportunity to comment.



Lora Claus
Executive Director
(o) 360-336-3974
(c) 603-703-2247

Skagitonians to Preserve Farmland
-----*Pavement is Forever*-----



Skagit County Planning and Development Services
1800 Continental Place
Mount Vernon, WA 98273

Delivered via email

June 16, 2026

RE: Clean Energy Siting and Permitting Programmatic EIS Scoping Comments

Dear Planning and Development Services Staff,

Skagitonians to Preserve Farmland (SPF) appreciates the opportunity to comment on the scope of the Environmental Impact Statement (EIS) for the Clean Energy Siting and Permitting project.

SPF is a nonprofit organization dedicated to ensuring the economic viability of Skagit County agriculture and its required infrastructure. SPF is a community organization rooted in agriculture. Our supporters come from across Skagit County and share a common belief that productive farmland, rural character, and thoughtful land-use planning are worth protecting for future generations. While agriculture is at the core of our mission, our membership reflects a broader commitment to preserving the economic vitality, food-producing capacity, and quality of life that make Skagit County unique.

We recognize that Washington State's growing energy demands, evolving energy policies, and changing regulatory environment are creating increased pressure for new clean energy development. We also appreciate Skagit County's effort to retain local control over siting and permitting decisions by proactively developing local regulations rather than responding to projects on a case-by-case basis.

This planning effort is particularly timely because Skagit County is already experiencing increased interest from energy developers seeking sites for battery energy storage systems and other clean energy facilities. In many cases, these proposals are being driven by requests for proposals and procurement processes initiated by regional utilities, including Puget Sound Energy, as utilities work to meet state clean energy requirements and growing energy demand. These market forces are unlikely to diminish. As a result, it is imperative that Skagit County establish a clear framework for achieving clean energy goals without sacrificing the very



resource the community has spent decades and significant public investment protecting: its agricultural land base.

As the County undertakes this work, we urge decision-makers to ensure that the protection of agricultural land and agricultural infrastructure remains a foundational consideration throughout the EIS and code development process.

Skagit County contains some of the most productive farmland in the United States. These lands support local farm families, regional food production, a globally significant vegetable seed industry, and an agricultural economy that contributes substantially to the quality of life and identity of our community. Once productive farmland is converted to non-agricultural uses, it is lost.

For that reason, the EIS should begin with a clear evaluation of which lands and resources are appropriate for future clean energy development and which should be protected from conversion. Before determining how clean energy projects can be permitted more efficiently, the County must first determine where such development is compatible with existing land uses and where it is not.

Agriculture is not simply another land use in Skagit County—it is the foundation upon which much of the County's economy, identity, and landscape have been built.

The first principle of any clean energy siting strategy in Skagit County should be to protect irreplaceable agricultural lands.

SPF requests that the EIS thoroughly evaluate the cumulative impacts of clean energy development in Skagit County, including solar facilities, battery energy storage systems, substations, transmission infrastructure, access roads, and related development. Particular attention should be given to impacts on agricultural infrastructure, especially the diking and drainage systems that protect and sustain much of the county's farmland. The EIS should also examine potential impacts to farmland protected through conservation easements, the Farmland Legacy Program, and other long-term public investments made specifically to preserve agriculture and prevent farmland conversion. After decades of effort and significant public investment to protect one of the most productive agricultural regions in the nation, Skagit County should ensure that future clean energy policies complement—not undermine—those commitments. This approach is consistent with RCW 36.70A.020, which directs counties to maintain and enhance agricultural industries, encourage the conservation of productive agricultural lands, and discourage incompatible uses.

To that end, SPF requests that the EIS evaluate a clear alternative that excludes utility-scale clean energy facilities from Agricultural-Natural Resource Lands and prioritizes development within industrial areas, commercial lands, and other developed locations. The EIS should also examine how distributed energy resources—including rooftop solar, behind-the-meter systems, and



energy storage integrated into existing development—can help meet future energy needs while preserving the agricultural land base that is central to Skagit County's economy, identity, and food-producing capacity.

We encourage the County to provide continued opportunities for meaningful public participation as policy alternatives are developed. The EIS scoping process is occurring before the Clean Energy Advisory Group has completed its work, and additional opportunities for review and comment will be important to ensuring broad community understanding and confidence in the final recommendations.

Skagit County's agricultural lands are not vacant lands awaiting another use. They are a working resource that produces food, supports jobs, contributes to flood resilience, and helps sustain the rural character and economy of our region. The EIS should recognize these values and ensure they are fully considered as the County develops its clean energy siting framework.

Thank you for your consideration and for your commitment to a thoughtful and transparent process. SPF looks forward to continued participation as this effort moves forward.

Sincerely,

A handwritten signature in black ink that reads "Lora H. Claus". The signature is written in a cursive, flowing style.

Lora H. Claus
Executive Director
Skagitonians to Preserve Farmland

From: Heather Witzel Lakin <heatherwl@re-sources.org>
Sent: Tuesday, June 16, 2026 4:31 PM
To: PDS comments
Subject: RE: Energy Siting and Permitting EIS Scoping Comment
Attachments: RE Sources Skagit Clean Energy Siting comment.pdf

Dear Skagit County Planning and Development Services,

Thank you for the opportunity to comment on the scope of the Clean Energy Siting and Permitting PEIS. Attached are our comments on behalf of RE Sources.

Thank you,

Heather Witzel Lakin
(She/her/hers)
Resilient Infrastructure Policy Manager
RE Sources
heatherwl@re-sources.org

To: Skagit County Planning and Development Services
1800 Continental Place
Mount Vernon, Washington 98273

Transmitted Via Email to: pdscomments@co.skagit.wa.us

June 16, 2026

RE: Energy Siting and Permitting EIS Scoping Comment

Dear Planning and Development Services,

Thank you for the opportunity to comment on the scope of the PEIS for clean energy siting in Skagit County. We are glad that this PEIS for clean energy siting is occurring as we see a need for the ability to build new clean energy projects in our communities in a way that supports growth along with strong environmental and worker protections, Tribal consultation, and supports our climate goals to reduce Greenhouse Gas (GHG) Emissions under the Growth Management Act, Climate Commitment Act, Clean Energy Transformation Act, and Clean Fuel Standard.

RE Sources is a non-profit organization located in northwest Washington and founded in 1982. We mobilize people in Northwest Washington to build just and thriving communities and to protect the land, water and climate on which we all depend. Our priority programs include Protecting the Salish Sea, Freshwater Restoration, Climate Action, and Fighting Pollution—all critical issues affecting our region. Our North Sound Baykeeper is a member of the Waterkeeper Alliance, with over 300 organizations in 34 countries around the world that promote fishable, swimmable, drinkable water. RE Sources has hundreds of supporters in Skagit county, and we submit these comments on their behalf:

We offer the following comments on the overarching potential impacts of all energy types studied, followed by more specific recommendations pertinent to each energy type:

Climate impacts and Greenhouse Gas Emissions

- Analyze and disclose the full lifecycle greenhouse gas impacts of the energy types studied. According to the EPA Renewable standard this includes:¹
 - Emissions from feedstock production and transportation
 - Emissions from producing energy/fuels including significant inputs
 - Emissions from transporting, processing, or storing the energy/fuel produced
 - Emissions from eventual use of the energy/fuel source including burning, producing electricity, etc
 - Impacts of associated changes such as local farmers moving away from food production to produce more feedstocks for biofuel production or diverting crops like soy from the food market to be used in biofuels production

- Additionally, we would like to see additional analysis of:
 - Emissions from decommissioning facilities at end of life
 - When assessing greenhouse gas impacts of renewable fuels, consider if it is replacing existing fuel capacity that is more carbon intensive or adding additional fuel capacity (ie. transitioning an existing diesel facility to biodiesel vs creating a new biodiesel facility to increase fuel capacity)

Air and Water Impacts

- In addition to greenhouse gas emissions, traditional air pollution must be assessed both at the points of production and use
 - Assess how air quality changes impact nearby residents under different weather and atmospheric conditions such as wind directions
 - Study health impacts on both nearby communities and workers

- Consider water quantity/accessibility impacts
 - On April 8th 2026, Washington state declared its fourth consecutive drought.² Droughts are expected to become more common with warmer winters and smaller snowpacks due to climate change, although the impact on Skagit County is not expected to be as severe as in other areas of the state.³

¹(2026, April 16). *Lifecycle Analysis of Greenhouse Gas Emissions under the Renewable Fuel Standard*. EPA. Retrieved June 16, 2026, from <https://www.epa.gov/renewable-fuel-standard/lifecycle-analysis-greenhouse-gas-emissions-under-renewable-fuel-standard>

²(2026, April 16). *Drought Response*. Washington Department of Ecology. Retrieved June 16, 2026, from <https://ecology.wa.gov/water-shorelines/water-supply/water-availability/statewide-conditions/drought-response>

³ https://www.skagitcounty.net/EnvisionSkagit/Documents/ClimateChange/ch5_hydrology.pdf

- It is important to analyze how much water each energy type will use and how that will impact water availability for local communities and other key local uses such as agriculture
- Consider water quality impacts from all stages from production to use to decommissioning of facilities
 - Quality of any water discharge from facilities is of particular importance
 - Assess potential contamination risks to both surface and groundwater along with associated impacts to water users

Community impacts and Overburdened Communities

- Thoroughly assess the impact of project siting of all types on neighbors and vulnerable communities, including new impacts as well as existing ones exacerbated or perpetuated by new project siting
 - The HEAL Act establishes a framework and best practices for more collaborative and comprehensive assessment of impacts to already overburdened communities
 - Assess opportunities for meaningful engagement of impacted communities in discussions around mitigation strategies
- Assess efficacy of potential mitigation strategies
 - Current WA state planning standard for mitigating impacts to Critical Areas sets “No Net Loss” (NNL) as the minimum standard; however increased understanding of the compounding effects of climate change on loss of ecological function has pushed the state legislature to consider using “Net Ecological Gain” (NEG) as a future planning baseline to account for this. ⁴
 - On-site and direct mitigations should be prioritized over “in lieu” or credit-based mitigations

Tribal Sovereignty and Collaboration

- The PEIS should consult with local Tribes on potential impacts of projects on Tribal sovereignty, Treaty rights, and culturally significant areas and practices

⁴*Net ecological gain interim proviso report (2024)*. Washington Department of Fish & Wildlife. (n.d.). <https://wdfw.wa.gov/publications/02512>

- Any code changes resulting from this PEIS should prioritize early, frequent, and substantive consultation with local tribes
- Tribal consultation should be prioritized early in all stages of the process

The following comments pertain to specific clean energy sources proposed in the scope of study

Solar:

Building on the state's Programmatic EIS for utility-scale solar, the EIS should look to guide siting in ways that will minimize community and environmental impacts of the installation and decommissioning projects and look to streamline the permitting process for solar.

- Agrivoltaics - or the co-siting of solar PV systems with agricultural land such as livestock grazing or growing crops, can provide the opportunity to diversify income streams for farmers while increasing clean energy production and maintaining agricultural use as well as potential ecological benefit⁵
- The PEIS provides an opportunity to explore if agrivoltaics could interface with the existing land use designations in Skagit county and whether this use could be compatible with current agricultural practices in a way that is beneficial to farmers
- Evaluate any project scale-related impacts to runoff and absorption of precipitation on a basin and watershed scale, particularly for siting in areas that are hydrologically connected to Critical Aquifer Recharge (CAR) areas.
- Decommissioning plans need to be considered in the permitting and siting of solar arrays
- The PEIS should consider additional needs for transmission and grid improvements to support substantial new solar projects and our growing energy needs.
- Transmission and grid improvements have their own associated impacts to lands and communities that should be included in the scope of the assessment

Battery Energy Storage Systems (BESS):

BESS has the potential to provide significant value and stabilization to the grid. This technology should be evaluated carefully for risks and siting concerns similar to solar, but needs to include incident response plans in the case of fire.

⁵ <https://www.energy.gov/cmei/systems/agrivoltaics-solar-and-agriculture-co-location>

- Battery Energy Storage Systems can help support clean energy use by storing energy generated during off-peak hours, which can bring down costs, reduce the need for back-up energy sources such as diesel generators- improving local air quality and reducing local impacts⁶
- This is a rapidly growing resource, with a projected near doubling of battery energy storage capacity coming online in 2026 compared to 2025⁷
- Similar to solar, there is a need to carefully consider risks and any siting concerns to make sure these installations are safe for communities, workers, and the environment, and mitigate concerns accordingly
- Although rates of fire related incidents with BESS facilities have decreased over recent years, there have been some well known fires.⁸
- Consider risks carefully taking into account how technology has changed over time
- Accordingly, BESS projects, and all other projects with fire hazard, should be required to assess fire risk and prepare an incident response plan with relevant local first responders

Renewable fuels:

Renewable fuels is a category of fuels including bioenergy and renewable hydrogen. Each fuel type carries its own risks and benefits, and should be analyzed independently to assess their local impacts.

- It is important that the PEIS break apart and independently analyze distinct forms and use cases of renewable fuels, and their local impacts
- The PEIS should include a GHG comparison between fuels - including assessing the impact of how is the fuel is being used as that can impact efficiency
 - For instance, the GHG impacts of switching existing diesel production to renewable diesel has a different impact than adding more overall production of local truck fuel
- All renewable fuels should be evaluated for their impacts on water resources: In particular, green electrolytic hydrogen production may consume significant water resources. We hope the EIS will evaluate a scale of impacts relative to other uses.

⁶(n.d.). *Benefits of Energy Storage*. Pacific Northwest National Laboratory. Retrieved June 16, 2026, from https://www.pnnl.gov/sites/default/files/media/file/EED_4059_FLYER_EnergyStorageSiting_benefits_of_energystorage_final_web.pdf

⁷ <https://www.eia.gov/todayinenergy/detail.php?id=67205&ref=thedigitalspeaker.com>

⁸<https://www.epa.gov/electronics-batteries-management/battery-energy-storage-systems-main-considerations-safe>

- Additionally, the impacts of associated infrastructure improvements need to be evaluated, including risks of transportation and spills
- Evaluate risks to worker safety for each individual renewable fuel type, as well as risks to neighborhood safety, groundwater, ecological impacts, and water use

Nuclear:

As the project memo stated: “local jurisdictions can only permit fusion based nuclear facilities as the Washington State Energy Facility Site Evaluation Council reviews all fission nuclear energy projects.” Skagit County may determine policies and plans for siting and zoning future nuclear fission and fusion power plants.⁹ Direct impacts of new technologies may vary greatly between respective designs and should be evaluated individually with an eye towards arising concerns as these technologies begin to come on line.

- Assess nuclear projects carefully with an eye for possible unforeseen risks and lifecycle/decommissioning impacts and concerns
- This is an emerging technology - Identify remaining questions around impacts and hazards and plan to periodically reassess as there are more examples of implementation and risks as this technology develops

Conclusion

The PEIS should take a rigorous approach to looking at the unique impacts of siting of the projects for all four energy types with the goal of building energy infrastructure that can meet increasing energy needs while valuing communities, environment and aligning with state and local climate goals. Code updates can streamline processes while still rigorously assessing projects, allowing both increased predictability for industry and the ability to make good siting and mitigation choices that allow clean energy projects to be good neighbors.

Thank you for your consideration of our comments, and we look forward to continued engagement in the following steps of this process. Please don't hesitate to reach out to heatherwl@re-sources.org with any questions.

Heather Witzel Lakin — Resilient Infrastructure Policy Manager, RE Sources

⁹[https://www.skagitcounty.net/planningandpermit/documents/Clean%20Energy%20Siting%20and%20Planning%20Memo%20to%20PC_051226%20\(1\).pdf](https://www.skagitcounty.net/planningandpermit/documents/Clean%20Energy%20Siting%20and%20Planning%20Memo%20to%20PC_051226%20(1).pdf)

From: Marlene Finley <president@evergreenislands.org>
Sent: Tuesday, June 16, 2026 7:22 PM
To: PDS comments
Subject: Energy Siting and Permitting EIS Scoping Comment
Attachments: EvergreenIslandsSkagitCoEnergySiting EIS Scoping CommentsJune2026.docx

Please accept the attached comments from Evergreen Islands. I sent these same comments at 3:30 PM on June 16, 2026 to the email listed on the "Skagit CESP Scoping Comment Form" which I picked up at the open house. **The form has an incorrect email address** (pdscomments@Skagit.cp.was.us). My email bounced back several hours later.

On another form I picked up I found the correct email address. Please accept these comments as timely.

Thank you,
Marlene Finley
Evergreen Islands

Skagit County Clean Energy Siting and Permitting EIS

Scoping Comments

Submitted by: Marlene Finley, Evergreen Islands P.O. Box 223, Anacortes WA 98221

Email: president@evergreenislands.org

Home Address: Anacortes, WA 98221

Date: June 16, 2026

Overview

Evergreen Islands, a local environmental advocacy nonprofit established 49 years ago, strongly supports the county's initiative to evaluate suitable areas for a variety of potential energy uses and adopt clean energy development regulations.

In summary, Evergreen Islands supports properly sited solar, particularly on disturbed lands. We support properly sited battery energy storage with appropriate fire and emergency response, understanding the necessity of storing energy. Hydrogen is more of an unknown for our comments. Lastly, we have overriding concerns regarding the safety of small nuclear facilities and concerns regarding greenhouse gases from renewable fuel facilities.

Issues for All Types of Energy

- aesthetic impacts associated with the structures that would be constructed for each form of energy;
- environmental impacts on wildlife and wildlife habitat, including aquatic and marine habitat and species;
- the amount of land that would be displaced from other uses, such as mineral resource land, forest resource land, and agricultural resource land;
- light and glare impacts for facilities that require high wattage nighttime lighting or that would include highly reflective surfaces.
- the greenhouse gas emissions caused by the manufacture and transport of the equipment needed to construct and operate the facilities;
- disproportionate impacts on underserved or underrepresented communities like Tribal communities and low income communities and communities of color, including both the direct siting impacts and potential to impact resources relied upon through permitted pollution and potential contaminant emergencies;

- financial assurance mechanisms sufficient to guarantee safe decommissioning at the end of facility life, including bonding or other instruments adequate to address: nuclear waste and radioactive materials, removal and recycling of solar panels, battery cleanup and recycling, and restoration of other facility types;
- the cumulative impacts of the various energy projects.

Solar Energy Issues

- the amount of land converted to solar use and the amount of tree cover lost as a result;
- the amount of critical areas like wetlands and Fish and Wildlife Habitat Conservation Areas that would be converted to solar arrays;
- impacts on local species, including migratory bird corridors;
- impacts of glare on viewsheds and species; and
- impacts of heat concentration at industrial solar facilities.

Battery Energy Storage (BESS) Issues

- noise impacts on the natural surroundings and built human environment;
- the likelihood of combustion and the fire and emergency resources available to respond to such an incident;
- the ability of emergency response to address toxic materials in the event of a combustion incident or other loss of containment for batteries; and
- the most suitable locations for BESS to be constructed with the least land disturbance while being able to tie in to the grid efficiently.

Small Nuclear Energy Issues and Unknowns

- an evaluation of the impacts associated with any similar facilities that have been constructed/installed in the United States or elsewhere;
- a risk evaluation to study the likelihood of an emergency incident, including one that emits contaminated, radioactive material;
- a critical review of cost estimates for decommissioning and study of the County's ability to ensure that facilities deposit an amount adequate for the decommissioning of the facility;

- an evaluation of the radioactive waste that would be generated and the methods for handling, storing, and disposing of it;
- an evaluation of the health risks to workers at nuclear facilities; and
- loss of local land use authority, given that nuclear facilities are subject to federal jurisdiction, potentially limiting the County's regulatory control.

Issues with Proposed Renewable Fuels and Hydrogen

- the greenhouse gas emissions for the combustion of the materials;
- risks associated with the manufacture and use of hydrogen; and
- an evaluation of whether the fuel types proposed under this heading are actually renewable.

Process

Understanding that this is a Programmatic EIS and the county has provided two alternatives: the No Action Alternative and the Action Alternative, it is our understanding under the SEPA process that Skagit County may develop additional alternatives and/or modify the Action Alternative based upon the scoping comments received. Evergreen Islands looks forward to participating in the public involvement process.

Conclusion

Skagit County is demonstrating leadership in proactively establishing a framework for responsibly sited clean energy development. We applaud these efforts and support the county's efforts to prepare for a future which includes more clean energy. There are significant concerns about the risk associated with some potential energy uses such as small nuclear facilities. We urge the County to ensure the EIS addresses these concerns with the full technical rigor and legal analysis they require.

Respectfully submitted,

Marlene Finley
Board President
Evergreen Islands

From: A Taste of Norway <atasteofnorway@gmail.com>
Sent: Wednesday, June 17, 2026 10:10 AM
To: PDS comments
Subject: Fwd: Energy Siting and Permitting EIS Scoping Comment

I emailed this email yesterday just before the comments deadline to the email list on the comment form. Thought it was unusual, but since I have never emailed the county before, I didn't check into it. Later I got an email saying that it was not a valid email. Looked it up on the project website and guess what - it was very wrong.

I am forwarding my comments now and hopefully you will read it since I actually sent it in time to the wrong address you provided.

Sincerely and have a great day.
Tove Aase - a resident

----- Videresendt e-post -----

Fra: **A Taste of Norway** <atasteofnorway@gmail.com>
Dato: tir. 16. juni 2026 kl. 16:28
Emne: Energy Siting and Permitting EIS Scoping Comment
Til: <PDScomments@skagit.co.was.us>

1) We NEED Alternative 2 - Action Alternative:

We NEED residents, neutral industry experts and neutral environmental experts inputs on this. We NEED these facilities to be VOTED for by the residents who are going to live nearby them AFTER the local and state have passed them.

2) We NEED to make the Local County Permitting Pathway the ONLY permitting pathway! If applicants pass and only IF they pass the local County Permitting Pathway, then it should be sent to the state and go through the EFSEC process. It SHOULD be hard to get the permits for these private for profit companies because ALL of it has impacts on residents or the environment no matter what. As of now, and maybe even after the streamlining and research of properties, companies might still choose the State Permitting Pathway also because they actually have access to more land that way!!! WHY!!!

3) You NEED to push A LOT MORE the advertizing of these Informational Meetings and Public Comment Periods to the General public - IF you actually want and LISTEN to the residents opinions including local/regional newschannels, fairs, festivals and parades, posters different public places, and last, but not least Social Media!

THANK YOU FOR LISTENING AND MAKE US COUNT.

Ha en Kjempefin Dag!
Have a Great Day!

Tove Aase

From: Casey MacLean <casey@renewablenw.org>
Sent: Monday, June 15, 2026 10:42 AM
To: PDS comments
Subject: Energy Siting and Permitting EIS Scoping Comment
Attachments: Skagit PEIS_RNW Comments 6.15.2026.pdf

Spam

Good morning,

Attached are comments regarding battery energy storage systems from Renewable Northwest, in response to Skagit County's Energy Siting and Permitting EIS Scoping. Please don't hesitate to reach out if RNW can be a resource for Skagit County.

Best,
Casey MacLean

Casey MacLean
Washington Senior Policy Manager
Renewable Northwest
C: 703.963.4471
casey@renewablenw.org
www.renewablenw.org



June 15, 2026

Subject: Energy Siting and Permitting EIS Scoping Comment

Skagit County Planning and Development Services:

Renewable Northwest (RNW) is a regional, non-profit renewable energy advocacy organization dedicated to strengthening and expanding clean energy infrastructure in the Pacific Northwest to support electricity demand, grid reliability and resilience, and decarbonization. Our members are a combination of renewable energy and energy storage industry and businesses, as well as environmental and consumer groups. We are supportive of smaller scale clean energy developments, but our organization and membership focus on utility-scale solar, wind, and storage development. As Skagit County is developing its programmatic Environmental Impact Statement (PEIS) for clean energy (including small-scale solar, battery energy storage, small modular reactors, and renewable fuels), we write specifically to provide commentary on Battery Energy Storage Systems (BESS), in which we have particular expertise. We are supportive and interested in the creation of regulations for BESS that will allow Skagit County to site these important electricity system resources responsibly and effectively. BESS is a growing and essential feature of a reliable electricity system, plays a vital role in Washington's reliable energy future and can support energy resilience in Skagit County.

BESS Need and Electric System Reliability

The Pacific Northwest is facing unprecedented growth in electricity demand, and there is an urgent need for new generation resources and transmission capacity. Recent forecasts estimate more than a 40% increase in electricity demand over the next decade to support a reliable system.¹ While new generation resources are a critical component of meeting this additional demand, the electricity grid itself requires major improvements to perform as needed. Dramatic improvements to transmission and storage infrastructure will be necessary to efficiently use new and existing energy resources.

In Skagit County, limited regional transmission capacity restrains the amount of electricity that can be reliably delivered without significant system upgrades. BESS systems provide essential

¹ PNUCC's 10 year forecast:

<https://www.pnucc.org/wp-content/uploads/2022-PNUCC-Northwest-Regional-Forecast-final.pdf>

NW Power and Conservation Council's preliminary 20 year outlook:

<https://www.nwcouncil.org/news/2025/05/02/pacific-northwest-load-forecast-2025/>

capacity amidst these constraints: BESS store electricity locally when there are excess electrons on the grid, and then discharge that power locally during times when electricity usage is high and the ability to move electricity from outside of the area is limited or constrained. This decreases stress on transmission lines, saves money by reducing the need for expensive new power lines, and increases reliability of electricity service to local businesses, farms, and households.

BESS provide big wins for affordability as well: when there is excess capacity on the grid, electricity rates are lower. This means BESS offer significant cost savings for ratepayers by capturing electricity when rates are low and putting that low-cost power back on the grid for use at other times.

While BESS projects are critical for the regional grid, they also offer tremendous energy resiliency and reliability benefits to host communities. For example, they can help maintain local reliable service during extreme weather events such as ice storms, heat waves, or wildfires. As such, BESS systems are critical not just to the regional energy grid but to local resilience planning. These systems can reduce utility bills, allow for more local economic growth, reduce or avoid the need for new transmission lines, and increase reliable power supply. However, they must be sited locally to deliver these benefits locally. BESS is a flexible resource that can be installed around the grid according to its best use, providing a comprehensive list of benefits for Skagit County.²

BESS Siting and Safety:

BESS projects are flexible, and the amount and location of land required can vary based on technology and how it will be used. For example, BESS can be co-located with electricity generation systems of all sizes, from residential roof-top solar to utility-scale solar and wind projects located in remote areas. BESS can also be built as a stand-alone system in various locations around the grid, including as a transmission congestion service, or closer to where electricity is consumed in load centers. This flexibility is important to keep in mind as Skagit County contemplates zoning for BESS.

As we know from previous engagement with Washington counties on BESS-related topics, safety is a priority for communities. We understand these safety concerns are valid; we also know that education, sound regulation, and responsible development can and does effectively alleviate safety risks. Developers routinely address this by having plans and requirements in place for fire-suppression and prevention. As safety measures and system designs have developed, there has been a dramatic decrease in fire and safety-related incidents at BESS facilities. While the global installed capacity has increased dramatically, BESS failure rates have

² Resources on the values of storage for the grid include energystorage.org; US EIA “Energy Today” [feature on storage](#), Jan 2018; and Resources for the Future “[Charging Up: The State of Utility-Scale Electricity Storage in the United States](#)”, April 2025.

dropped by over 98% since 2018.³ We encourage the County to review these resources reflecting best practices and fire safety standards as it considers development of science-and industry-supported safety standards for BESS facilities:

- [Fire Risk Alliance and ACP BESS Fire Risk Report](#): Excellent literature review on impacts of BESS fires, including air water and soil pollution.
- [Resources for the Future State of Utility Scale Electricity Storage \(April 2025\)](#): Background information on why the grid needs BESS systems. Covers economic, policy, and market impacts.
- [Battery Energy Storage: Blueprint for Safety](#): American Clean Power’s safety blueprint that outlines industry standards from NFPA 855 and UL9540.

Conclusion

Battery Energy Storage Systems are indispensable resources for meeting our local and regional energy reliability needs. As Skagit County develops its PEIS to guide the adoption of a new code for this infrastructure, we urge the County to consider the vast benefits that these systems afford local communities and electricity ratepayers, all while maintaining high standards of safety. BESS projects are an essential component of a modernized, affordable, efficient, and carbon-free electricity grid.

RNW is available to answer any questions the County may have, and we are happy to provide connections to experts within our network that could be of service. Thank you for considering our views.

Sincerely,

Casey MacLean
Washington Senior Policy Manager
Renewable Northwest

³ [ERPI's BESS Failure Incident Database](#) documents safety incidents, module types, and contextualizes with global installations.